

DVRVM PAT 183
An Abstract of all the

*penal Statutes which be general, in force and
use, wherein is conteyned the effect of all those Sta-
tutes which do threaten to the Offenders thereof the losse of
life, member, landes, goods, or other punish-
ment or forfeiture whatsoeuer.*

Whereunto is also added in their apt Titles, the effect
of such other Statutes, wherein there is any thing ma-
teriall and most necessarie for eche
Subject to knowe.

Moreouer, the Authoritie and duetie of all Iustices of
Peace, Sherifes, Coroners, Eschetors, Maiors, Bailiffes, Customers,
Comptrollers of Custome, Stewards of Leets and liber-
ties, Wulnegers and Wurnepors, and what things by the
letter of seuerall Statutes in force they may,
ought, or are compellable to doe.

¶ Collected by Ferdinando Pulton of Lincolnes Inne, by the Par-
liament holden Anno. 23. Elizabeth, and by him corrected
and amended.

DEVT. 17.8.&c.

If there rise a matter too hard for thee in Iudgement, in matters of controuersie within thy
gates, then shalt thou arise and come vnto the Priests, vnto the Leuites, & vnto the Iudges,
and aske, and they shal shewe thee the sentence of Iudgement. Thou shalt not decline from
thence, neither to the right hand nor to the left. And that man that will do presumptuously,
not hearkening vnto the Priest that standeth before the Lord, or vnto the Iudge, that man
shall die, and thou shalt take away euill from Israel.



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Barker, printer to the Queenes Maiestie.
Anno. 1581, Septembris. 30.*

Cum priuilegio ad imprimendum solum.

*En tibi pœnales scriptas pulchro ordine leges:
Quæis mores formes instituâsque tuos.
Pœnales dixit, ne forsân temnere posses:
Pœna grauis vitam ne grauet vlla tuam.
Quicquid erat scitu dignû, quodcûque statuta
Ante docent, mira tradit hic arte liber.
Adde quod in prœptu hic reperis, faciliq; la-
Quæ fuerât aliis mille petêda locis. (bore,
Pul-tono scopus est vnus, meta vna laboris,
Legibus vt bona sit consona vita bonis.*

¶ To the right worshipfull Sir William
 Cordell Knight, Master of the Roules, Fardinan-
 do Pulton wisheth long continuance of prof-
 perous life, with great encrease
 of worship.



After the Romanes had banished their Kings, re-
 moued their Consul's, and placed tenne principall
 Magistrates called *Decemviri*, yeerely by turne to
 gouerne their Citie, they sent iii. Embassadours to
 Athens, and other Cities of Greece, to learne and
 fetch them the Lawes of Solon, and other aunci-
 ent rites, and ordinances of those Cities: which being brought to
 Rome, were perused by the said ten Magistrates & the Senate, and
 one by one were by them examined, fitted, & reformed according
 to the time, their maner of gouernment and the nature of their
 people, and reduced into tenne Tables: Then were they published
 to the whole multitude of the citizes, established by the 35. Tribes,
 ingraued in pillars of Brasse, and set in a most open place of the Ci-
 tie for all men to beholde, to the intent that eche man might at his
 pleasure daily peruse the same, and no wayes be ignorant of those
 Lawes, which he was bound to obey. By which Tables and other
 two shortly after thereunto annexed, the flourishing Romane Em-
 pire was chiefly gouerned by the space of many ages, and they doe
 remaine the ground of the Ciuill Lawes vsed to this day in diuers
 partes of the world, Euen so, when the mighty God of Iacob had
 with diuers miraculous plagues punished the land of Egypt for his
 elect people of Israels sake, caried the thorow the red sea, drowned
 therein King Pharao and his hoste, sweetened the bitter waters for
 them to drinke, sent them food from heauen, and brought them by
 a cloudy pillar in the day, and a fire pillar in the night vntill they
 came to mount Sinai, hee then gaue them dyuers commaunde-
 ments, and made vnto them many Lawes and statutes, concerning
 due honour to be done vnto him, concerning their ductie to their
 Princes, Magistrates, and Leuites, to their parentes, neyghbours,
 and strangers, concerning the direction, order and guiding of their
 wiues, children, seruants, landes, goods, and other things necessarie
 for the vse of man. And then most straitly charged them, that the
 same commaundements should be in their hearts, that they should
 shew them vnto their children, that they should talke of them when
 they were at home in their houses, & as they walk by the way, when
 they

Titus Linius
dec. 1. lib. 3.

Dionys. Hali-
car. lib. 10.

Exod. 7. &c.

Deut. 12.

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they lie downe, and when they rise vp, that they should binde them for a signe vpon their hands, that they should be warnings betwixt their eyes, that they shoulde write them vpon the postes of their houses, and vpon their gates. And moreouer when they came into the lande of promise, that they should set vp great stones in mount Ebal, plaster them with plaster, and write vpon them all the wordes of those Lawes. Which commandementes Ioshua the seruauit of the Lord did after most faithfully perfourme. With which good examples and such like, together with the care of their subiects by Almighty God to them committed, the vertuous Princes and gouernours of this Realme being mooued, haue not onely provided for the due obseruation of the Lawes of GOD within these their kingdomes and prouinces, piked forth the purest iuice and pithiest marow of the Lawes of the Romanes and other Regions, and from time to time by the aduice of their Nobles and consent of their Commons, decreed, altered, and reformed the same according to the inclination of their subiectes, and disposition of the inhabitants of their Dominions, but also haue bene most carefull that those Lawes and statutes which were newly ordeined, shoulde be in such sort published, spread abroad, and made knowen, that eche person bound to obey the same, might take knowledge of that whereby he was to liue, to receiue benefite, or sustaine losse, (alwayes intending that those lawes which the finger of God hath written in the heart of man, or nature infused into him vpon his first creation, or reason, the only cognisance of mākinde instilled into his brest, or which the auncient Maximes and customes of the realme, the very ground of all our common Lawes haue instructed him, be not to any Englishman hauing the cleare vse of *Synderisis* wholly vnknown,) And therefore they haue provided that their Iustices of *Oyer & determiner*, their Iustices of Assise, & gaole deliuerie at their generall Assises, their Iustices of peace at their quarter Sessions, their Sherifes in their Turnes, their Stewards of Leets and Liberties in their Courts (vnto which Assises, Sessions, and courtes, the greater number of people being aboue the age of xii. yeeres, are bound to resort) should not onely openly declare what Lawes and statutes haue bene made for the punishmēt of seuerall great offences, but also should execute the paines and penalties of the same vpon the transgressors therof: that the chastisemēt of some might be to others a learning to know the same Lawes, & also a warning to them to auoyde the danger thereof. And further they haue foresene, that some special statutes which
be most

Deut. 27.

Iosua. 8.

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 of Winchester should be openly proclaimed by euery Sherife of Eng-
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derations of the making of a newe, abrogating, altering, or reforming an olde lawe, to the intent that euery one which desireth to knowe, may reade, and thereby perceiue the cause, and contents of the same. So that our worthy Princes haue plaied the parts of Gods good Lieutenants in these their regions, they haue laide a foundation of all their statutes and decrees, the word, and euerlasting Testament of the Almighty, they haue vsed those lawes of the Romanes, Grecians, Saxons, Normans, and other Countries, which be most correspondent to the ordinances of God, consonant to reason, and agreeable to the inclination of their subiects, they haue indeuoured them selues further to publish them, then ingrauing in brasse, or writing in stone setled in one place certayne, can doe. Whereby is plainly declared, not onely their great foresight to make good lawes, but also their speciall care to notifie the same, that ignorance might not excuse offenders, nor want of notice, leade awry such as are willing to liue in order. But because the Gouvernours of this state, from time to time carefull to prouide such lawes, as were most commodious for the weale publique, haue bene enforced to trie many, to continue diuers, to alter and reforme some, according to the disposition of the waning minded people, fertilitie of the soyle, quietnesse of the government, friendshippe of the regions adioyning, and other accidents and circumstances whereunto our humane nature is subiect, by that necessarie meanes our statute lawes are growen to be many, some much differing, and some meere contrarie and repugnant to others: for sithence the time of King H. 3. (in the ix. yere of whose reigne Magna Charta the first statute that we haue in print, was made) there haue bene a great number of statutes written, some in Latin, some in French, some ordeined to be in force for one Kings time, some for another, some repealed in part, and confirmed in part, some repealed by speciall, and some by generall words, as by iii. branches of three seuerall statutes, there be at the least 120. other statutes and braunches of statutes repealed. So that time hath wrought tryall, much tryall hath procured a number, a number prouided at seuerall times, by seuerall persons, and to seuerall endes, hath brought in some question which be in force, and which not, and thereby imprinteth feare to many willing mindes to reade, and discouragement to vnderstande those lawes, which otherwise they would in their knowledge imbrace, and in their deedes obey. Whereupon considering with my selfe, howe carefull our princes haue bene in all ages to prouide

1 H. 3.

5. Ed. 6. 22.

3. Ed. 4.

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prouide good lawes, how mindfull to publish them, and howe desirous to see them obserued: And againe remembring how ioyfull euery good subiect is of good lawes, howe ready to learne them, and how obedient to execute them, and that the Prince and the subiects doing their partes, onely time (the beginner, increaser and subuerter of humane policies) hath wrought some defects, and procured some difficultie in vnderstanding of our statute lawes, euer meant to be most plaine and easie to conceiue: I therefore (Right worshipfull) haue vndertaken to publish in our English tongue, the most effectuall statutes which be generall, and at this day in force and vse, together with those statutes which doe limit the authoritie and duerie of Iustices of peace, Sherifes, and certaine other necessarie Magistrates, and which doe teach them howe to rule, and howe to obey. Wherin my meaning in the beginning of mine enterprise, was to set downe no other statutes but which bee to all, or at the least, to some intentes in force, and not any which eyther be wholly repealed, or whereof the vse to all intents is taken away, hauing an earnest desire, and a speciall good will to collect all those statutes, and braunches of statutes, which be receiued as Lawe and in force at this day, and none but which be in force and allowed for Lawe. But sithence Salomon him selfe proclaimeth that *Eccles. 8.* mans wisdom is vnperfect, and his knowledge in eche Science vncertaine: Therefore I being vtterly destitute of that wisdom, and but of slender knowledge in the lawes wherein I deale, neither may, doe, nor will presume to thinke that by any meanes I am able to performe my desired enterprise, or to bring to perfection this so waightie a matter, and so intricate a cause: For though I may say with Saint Paul, *Nihil mihi conscius sum*, I know not what *1. Corin. 4.* I haue mistaken, or wherein I haue erred: yet will I not dare to report, or be encouraged to affirme that my woorke is perfect, or that I haue fully performed my Title, and long wished attempt. And for that cause, standing in doubt whether I were best to conceale many trueths, or aduenture to report some errors: The learned Philosopher *M. Tullius* whispered in mine eare, *Quid falli, decipi, errare humanum est*, and telling me (so farre as his prophane knowledge extended) to what vse I was borne, and to whose benefite I shoulde liue, he pressed me to hazard some part of my credite to doe my Countrey and Countrey men good, auowing by al his goddes, that if the valiant *Horatius Cocles* had not aduentured *Lin. dec. 1. lib. 2.* his life, and the lingring *Q. Fabius* his honor, for the benefite of their *Lin. dec. 3. lib. 2.*

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Countrey, it is like that Rome and the Name of Romanes had bene clere extinct long time before the Romane Monarch began. But as it hath pleased you (Right worshipful) for the zeale you beare vnto Iustice, the care you haue of your Countrey, and the good will you owe vnto euery good subiect, to be a furtherer of all honest and vertuous proceedings, & amongst others to encourage me in this my trauaile, and to assist me with your sage aduice: so if in continuing your said affection, you will vouchsafe to become amongst vs, an other Iustinian, you shal doubtlesse find *Tribonian* & many of his fellows ready with reuerence to attempt your wholsome directions, and execute your lawfull deuices, and willing not onely to remoue those imperfections, which by my weakenes of iudgemēt, or slacknes of consideration haue happened in this treatise, but also to polish and reforme the necessarie workes of seuerall wise and learned men in the lawes of this Realme, wherein time hath wrought some defects. And as experience, and diuers writers doe tell vs, that the name of Iustinian remayneth famous to this day in most ciuill Nations vnder Heauen, for onely causing other men to collect into order, and a small number of bookes, the ciuill lawes ordeyned by other Princes: So you by procuring to bee reduced into some perfect Method the confused number of our lawes prouided in seuerall ages, in seuerall maner of governments, vpon seuerall causes, and to seuerall endes, may purchase to your selfe perpetual renowme of all Englishmen, whilest these our English lawes shal rule them. And as we, which nowe inioye the benefites of your trauaile in place of Iustice, doe worthily esteeme you being liuing, so shall our posteritie yet vnborne, tasting the fruites of your said industrie, and receiuing instruction by your direction, reuerence your name by the space of many generations, after your soule shall rest in ioy.

From Lincolnes Inne by
your worships to vse,

Fardinando Pulton,

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FINIS.



NN O. 25. Ed. 3. It was agreed in parliament, that the lawe of the Crowne of Englande, is and alway hath bene such, that the children of the kings of Eng- land in whatsoeuer parties they be bozne, in Eng- lande, or els where, be able, and ought to haue the in- heritance after the death of their auncestours: the which law was confirmed by the said R. Ed. 3. the Lordes and Com- mons there assembled, to remaine for ever. And in the right of other children bozne out of the leageance of Englande, in the time of the sayd king Ed. 3. it was there agreed, y^e Henrie sonne of Iohn of Beaumont, Elizabeth the daughter of Guy of Brian, and Iohn the sonne of Raulfe Daubney, & others which the said king Ed. 3. would name (the which were bozne beyond the sea, without the allegiance of England) should be from thence forth enabled, to haue and enioy their inheritance after the death of their auncesters in all parts within the leageance of Eng- land, as well as those which should be bozne within the same leageance.

Kings children bozne beyonde sea, inheritable in England.

2 And it was then further enacted, that all children inheri- table which should bee bozne without the kings leageance, which chil- drens father and mother at the time of their birth, shall be vnder the faith and leageance of the King of England, shall enioy the same bene- fices, to haue and take inheritance within the same leageance, as other the foresaid inheritours, so that the mothers of such infantess doe passe ouer the sea, by the licence and good willes of their husbandes. And if it be alleaged against any such bozne beyonde y^e sea, that he is a bastard, in case where the Bishop ought to take cognisance of Bastardie, the Bishop of the place where the land demaunded is, shall be commaun- ded to certifie the kings court where the plea dependeth, as in auncient time it hath bene vsed in case where bastardy is alleaged against them, which be bozne in England. 25. Ed. 3.

Children inheri- table where their mothers passe the sea, by licence of their husbandes.

Tryall of Bas- tardy pleaded against him which is bozne beyonde the sea.

3 By the statute made. 31. H. 8. 6. All religious persons pro- fessed, as well men as women which were or after should be set at liber- tie by suppression, dissolution, &c. of their Monasteries, Abbies, Prio- ries, &c. (or which were translated from one corporation to another. 33. H. 8. 29. and the Priory, Brethren or Confraters of the hospitall of Saint Iohns of Hierusalem in England & Ireland. 32. H. 8. 24.) from and after the time that they were set at libertie, were enabled to pur- chase to them and their heires in fee simple, fee taile, for terme of life, yeeres, or at will, any manors, lands, tenements, rents, annuities, and other hereditaments and things whatsoeuer. And also to sue, and to be sued in all accions, plaintes and suites whatsoeuer, for any matter

Religious per- sons enabled to inherit, pur- chase, sue and be sued.

Abridgement of plaints. Accions popular.

or cause growen, after the time of their seuerall deraignments, or departing out of their religion, in all courts and places within the realme, and to receiue, take, and enioy euery lawfull thing to them growen or happenen, after their departing out of their religion, in as ample manner, as if they had neuer entered into religion. But by the saide statute of 31. H. 8. & the statute of 4. Ed. 6. 13. it was prouided that none of the said religious persons should be taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest or cause, had, made, discended or growen, befoze their seuerall deraignment or departing out of religion.

1 That the examination of the abilitie of a person presented to a benefice doeth pertain to an Ecclesiasticall iudge. See Ecclesiasticall. 4.

Abridgement of plaints.

The plaintife in assise, may abridge his plaint.

The plaintife in euery assise, may at his pleasure seuer, and abridge his plaint, of any part or partes, whereunto any barre is pleaded, in such like manner as he might doe in case that pleas in barre had bene made, and deuided to any certaintie or number of acres in the plaint. And the plaint for the residue of the part or partes of the landes not abridged, shall be and stand good in the Lawe. 21. H. 8. 3.

Accions popular, Informations.

Accions popular sued by collusion.

If an accion popular be sued against any man by collusion, and the plaintife in the same doe recouer against the defendant, or be barred, any other person may afterwarde sue against the same defendant an other accion popular with good faith, and shall in the same recouer and haue execution, if the recouerie or barre in the first accion be founde to be by couin. And the defendant being attainted of couin, shall haue two yeeres imprisonment, by proces of Capias and Vtlarie, to bee sued within the yeere after iudgement given, or at any time after, vntill the defendant be had and imprisoned, and that aswell at the Queenes suit, as at euery other persons that will sue in that behalfe. And no release of any common person, made to any partie befoze, or after any accion popular or indictment hanging, shall be auaylable to let or surcrease the sayde accion, indictment, proces, or execution. But no couin shall be auerred by any plaintife, in any accion popular, where the point of the same accion, or els collusion haue bene once tryed, or lawfully found, with, or against the plaintife by tryall of xii. men, and not otherwise. 4. H. 7. 20.

2 All accions, suits, biffes, indictments, or informations, taken, sued,

sued, commenced, had or made for any debt, goods, or cattels forfeited, whereunto the Queene onely, her heires or successours, and no common person shalbe or may be intituled, by reason of any penall statute, shall be commenced within foure yeeres next after the offence or forfeiture made against the prouision of any such statute, and not after. And al popular accions, informations &c. which shalbe sued for any offences or forfeitures done against the ordinance of any actes penal, made or to be made, whereby accion, suit, bill or information popular, shall be giuen to any person such as will sue for the Queene and for him selfe, or onely for him selfe, shalbe commenced, sued, had and made for the Queene within two yeeres, and for every common person within one yeere next after the offence or forfeiture made, and not after. And if any accion, suit, bill, indictment or information concerning any of the foresaid statutes, be otherwise made then within the time before limited, the same shall be voyde. But where any accion, information or indictment is limited by any statute to be taken within shorter time or times, (then as is aforesayde) it shall be taken within the time limited by that statute. 7. H. 8. 3.

within what time accions popular shalbe sued.

3 Every informer vpon any penal statute, shall exhibit his suit in proper person, and pursue the same onely by him selfe or by his Atturney in Court. None shalbee admitted or receiued to pursue against any person vpon any penall statute, but by way of information, or originall accion; and not otherwise, nor shall haue ne vse any deputie at all. And vpon every such information which shalbe exhibited, a speciall note shalbe made of the very day, moneth and yeere of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the same, without any manner of Antedate thereof to be made. And the same information shalbe accomped to bee of recoorde, from that time forward, and not before. No proces shalbe sued out vpon any such information, vntill the information be exhibited in forme aforesaid. And vpon every such proces shalbee indorsed aswell the parties name that pursueth the same proces, as also the statute vpon which y^e information in y^e behalfe made, is grounden. And every clerke making out proces contrary to the tenour and prouision of this act, shal forfeite for every such offence. xl. s. to the Queene and the partie against whome any such defectiue proces shall bee awarded, to be recouered in any Courte of recoorde by Accion, Information, &c. wherein no Wager, Effoyne, P. or Injunction. &c. 18. El. 3.

Information exhibited in proper person.

Information, originall accio. No Deputies.

A note of the day, moneth and yeere.

Indorsement of the information.

4 No such Informer or plaintife shall compound or agree with any person that shall offend, or shalbe surmised to offend against any penal statute for such offence committed, or pretended to be committed, but

No Informer shal compound with the defendant but by consent of y^e Courte

Accions popular.

but after answer made in Court vnto the information, or suit in that behalfe exhibited or prosecuted, nor after answer, but by the order or consens of the Court, in which the same information or suit shal be depending vpon the paines and penalties hereafter declared. And if any such Informer or plaintife shall willingly delay his suit, or shall discontinue or be nonsuit in the same, or shall haue the triall or matter passe against him therein, by verdict or iudgement of Lawe: Then the sayde Informer or plaintife shall pay vnto the defendant his costes, charges and damages, to be assigned by the Court, in which the same suit shalbe attempted. If or the recouerie and execution whereof, euery such defendant shall immediatly vpon the same costes, damages &c. assigned, haue his Capias ad satisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the same Court, in which the same shalbe so assigned, as in other cases of Execution. 18. El. 5.

Costes & damages, if the informer des lap, discontinuie, be nonsuit or haue the matter passe against him.

5. ¶ If any person or persons (except the Clerkes of the court only, for making out of proces otherwise then is aboue appointed) shall offend in suing out of proces, making of composition, or other misde-meanour, contrary to the true meaning of this statute, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of offence against any penall law, make any composition, or take any money, reward, or promise of reward, for him self, or to the vse of any other, without order or consent of some of the Queenes Courtes at West. then hee or they so offending, being thereof lawfully convicted, shall stand on the Pillory in some market towne next adioining, where the same offence shalbe committed; in the open market time, & there remaine by the space of two houres: And shall after such conuiction for euer be disabled to pursue, or be plaintife, or informer in any suit, or informatiō vpon any statute popular or penal: And shall also for euery such offence, for fait x. li. to the Queene and the party greued, to bee recovered by A. T. &c. wherein no W. &c. E. P. or Injunction. &c. 18. El. 5. See Iustice of peace, 57.

Statutes against Maintenance, Champertie, Ambia- cerie.

6. ¶ But it shalbe lawfull for euery person greued by meanes of any maintenance, champartie, buying of titles or imbracery, to pursue vpon any statutes provided against maintenance &c. as he might haue done before the making of this act. 18. El. 5.

Penalties giuen to persons certaine.

7. ¶ This act shall not extend to any suit depending before the 8. of Februarie. 1575. Nor shall restraine any certaine person, body politique or corporate, to whome, or to whose vse any forfaiture, penaltie or suit, is or shalbe specially limited or graunted by any statute, and not generally to any person y will sue, but euery such person &c. may in such case sue, informe &c. as hee might haue done, if this act were

neuer

neuer made. 18. El. 5.

8 **C** Also this act shall not extend to any such officers of recorde, as haue in respect of their offices heretofore lawfully vbled to exhibit informations, or sue vpon penall lawes, nor to any officers informing or pursuing for matters onely concerning their offices, but they and euery of them may informe and pursue in that behalfe, as they might haue done, before the making of this act, 18. El. 5. to endure to the end of the first Session of the next Parliament.

Officers vbling
to exhibite in-
formations.

1 That certaine forfeitures due to the Queene vpon some penall statutes shalbe employed vpon the prouision of stocks of money for the poore, and houses of Correction. See poore people. 29.

2 That the defendant shalbe admitted to haue a Tales de circumstantibus in Accions popular, See Iurours. 24.

3 That the Iury in suites vpon penall lawes, shal not be compelled to appeare at Westminster. See Iurours. 31.

Accomptants and Debtors to the Queene.

All obligations and specialties which shalbe made for any cause in any wise concerning the Queenes Maestie or her heires, or to her, or their vse, commoditie or behoofe, shall be made to her and to her heires, Kings or Queenes in her or their name, by these wordes, Dominæ Regina, and to none other person to her vse, and to be payed to her highnesse by these wordes: Soluendum eidem dominæ Regina hæredibus vel executoribus suis, with other wordes vbled in common obligations. And if any person make or take an obligation to the Queenes vse in any other maner, he shall suffer such imprisonment, as shalbe adiudged by the Queenes Counsell. And all such obligations and especialties so to be made, shall be effectuell in the lawe, to all purposes, and shalbe in the same nature, and effect to all intents, as the wrytings obligatorie taken and knowledged, according to the statute of the Staple at Westminster, haue at any time bene taken and executed against any lay person. 33. H. 8. 39.

The fourme
and effect of
obligations
made to the
Queene.

An obligation
made to the Q.
is in the na-
ture of a sta-
pule Staple.

2 **C** All such obligations and especialties, the debt whereof being not payde nor contented in the life of the King or Queene, shall remaine and be to the heires or executours of the King or Queene, at the free libertie and appointment of the same King or Queene, &c. to whome the same shalbe made. 33. H. 8. 39.

Who shal haue
the Queenes
debtes after her
decesse.

3 **C** The Queene in all suites to be taken vpon any specialtie made to her grace, or to any to her vse, shall recouer her iust costes and damages as other common persons vse to doe, in suites for their debtes. 33. H. 8. 39.

The Queens
shall recouer
costes and
damages.

Accomprants and debtors to the Queene.

Debts due to
the Queene by
attainder, for-
feiture, gift, &c.

4 ¶ In all accions, and suites to be taken, or pursued in any of the courtes of the Eschequer, Duchy of Lancaster, or wardes and Liveries for the recouerie of any debt, which shall appertaine, accrue, or be to the Queene, by reason of any attainder, outlarie, forfeiture, gift of the partie, or by any other collaterall meanes: It is sufficient to alledge in the sayd suit generally, that the partie to whom the sayde debt was due or did belong, such yeere and day did giue the same debt to the Queene, or was attaynted, outlawed, or other offence, forfeiture, or thing committed, by reason whereof the saide debt did accrue, and ought to remaine and come to the Queene, and the same matter so alledged in generaltie without shewing the circumstance thereof, shall be of as good effect in the lawe to all intents, as if the whole matter were alledged in euery point. 33. H. 8. 39.

The Queenes
suites shall be
preferred.

5 ¶ If any suit be cominced, or any proces be awarded for the Queene, for the recouery of any her debts, the same shall be preferred before the suit of any other person, and the Queene, her heires and successours, shall haue first execution against any defendant for her said debts before any other person, so alwayes that her suit be cominced or proces awarded for the said debt at the suit of y^e Queene, &c. before iudgement giuen for the said other person. 33. H. 8. 39.

Landes entai-
led, chargeable
to the payment
of the Queenes
debts.

6 ¶ All manors, lands &c. and hereditaments the which shall come or be in or to the handes or seisin of any person to whom the same shall descend, reuert or remaine in fee simple or in fee taile, generall or speciall, by, from, or after the death of any of his auncesters as heire, or by the gift of any his auncesters, whose heire he is, which saide aunccster shall bee indebted to the Queene, or to any other person to her vse, by Iudgement, Recognisance, obligation or other specialtie, the debt whereof shall not be contented & paid, then in euery such case the same Manors, lands &c. shall be and stande charged to and for the payment of the same debt, and of euery part thereof. And our sayde Soueraygne Ladie, her heires and successours, shall not be barred or delayed to demaunde and receiue her lawfull debts and dueties against any of her subiectes as heire or heires to any person indebted to her highnesse or to other persons to her vse, albeit this worde (Heire) be not comprised in such recognisance, obligation or specialtie: or that any such person shall alledge that he hath not any manors, lands, or hereditaments to him descended, but onely such as he entayled or giuen to him by any his auncesters, to whome hee is heire. But the Queene her heires and successours may at her &c. libertie and pleasure, demaund and recouer her sayde debt against any executour or executours, administratour or administratours, of any such person indebted, if hee or they

Specialties
made to the
Queene with-
out this worde
(Heire.)

they shal haue assents in his or their hands in deed or in law. 33. H. 8. 39.

7 ¶ But if the said Hanoys, landes and hereditaments, or any of them, shall be recovered from the possession of any such person, by any just or former title, without fraude or couin, which be chargeable as is aforesayde, then they shalbe cleerely discharged of the payment of the said debtes and of euery part thereof. 33. H. 8. 39.

Landes recovered by former title.

8 ¶ If any person of whome any such debt or duetie shall bee demanded, do shew in any of the said courtes, sufficient matter in lawe, reason, or good conscience, in discharge of the saide debt, or why such person ought not to be charged with the same, and the same matter so shewed be sufficiently proued in such one of the sayde courtes, as hee shall be impleaded or troubled for the same, then the saide courts haue full power to allowe the same prooffe, and cleerely to discharge euery person that shalbe so impleaded. 33. H. 8. 39.

W^{ch} sufficient matter proued the court may discharge the debtor.

9 ¶ If any landes &c. which shalbe charged to or with the debt of our saide soueraigne Lady her heires or successors, shall be in the seisin of diuers persons, other then the obligor or obligors, then all the saide landes &c. & euery parcell of them, shalbe wholly, & in no wise seuerally chargeable with the paiement of the said debt & duety. 33. H. 8. 39.

When the Queenes debtors landes come into seuerall mens hands.

10 ¶ Euery person named or appointed to be Treasurer, or general or particular Receiuer, Collector, or Bailife, or minister accomptant to the Queene, shall before his entry, executing, vsing, or exercising of his office, whereunto he shall be so nominated or appointed, together with suertie or suerties, acknowledge, and make sufficient and lawfull bonde or bondes to the Queene, in such court of record, where the same officer shalbe accomptable and chargeable, that he, his heires, executors, administrators, assignes or deputies, shall truly accompt, & pay all such summes of money as shal come to his hands, or shal, may, or reasonably might be charged w^{ch} concerning his office, to y^e Queenes vse, w^{ch} in the circuit of his receipt & collection, at such or like dayes and times, & in such maner as is hereafter expessed to be cōtained in y^e conditions of euery of y^e said bonds, vpon paine of forfeiture of his office & of his letters patents of the same office. 7. Ed. 6. 1. See 15. 16. 17. 18.

Officers bound with suertie for their true accompt and payment.

11 ¶ Euery Receiuer of the Queenes landes, rentes, and reuenues, or his deputie, shall yeerely make his seuerall precepts to all and singuler the Collectors, ministers, and Baylifes accomptant within the circuit of his office, commaunding them on the Queenes behalfe by the same precept to appeare before him personally, or by their sufficient deputie or deputies, for whom they wil answere, within the county where the same offices, bayliwicks, &c. or collections doe lie, at a certaine day and place in the same precept to bee limited, and to pay to the Queenes vse such summes of money as they ought

Receivers precepts to the accomptants.

Accomptants and debtors to the Queene.

to doe, by reason of any their saide offices being due to the Queene, at or before the feast of Easter, which they haue or may by any lawfull meanes receiue, within or by reason of their said offices, & y^e same precepts shalbe leuerally deliuered to euery of y^e said officers accōptant, or to their deputies, or els be left at their dwelling houses, or at the manor or place where their receipt is, or ought to be, xii. dayes at the least before the day of apparance to the giuen in the same precept. And if any of the said ministers, collectors or Bailiffes accōptants, after any such precepts made by any such receiuer, & deliuered or left in forme aforesaid, do make default at the same day & place assigned, by the same precept, & being thereof lawfully conuicted in y^e court where the reuenue shalbe answered, he shall for the first offence forfeite to the Queene his whole fee for that yeere, wherein hee shall so make default, or the value therof, & for non payment of the said money due & payable at or before y^e said feast of Easter vnto y^e Queene, within or by reason of his abovesaid office, collection or bailiwick, shal forfeit for y^e first offence of non payment vi. s. of y^e pound in y^e name of a paine, for euery moneth after the said day of apparance, vntill the same money shall be by him or his deputie paid to the hands of the said receiuer, to the Queenes vse. And after the first default of apparance made by any of the said officers, & another like precept by y^e said Receiuer bee made and deliuered or left in forme aforesaid, then the said officer making againe default, & being thereof lawfully conuicted as is aforesaid, for the second default of non apparance shall forfeit to the Queene his office and fee. And for the said second offence, in the non payment of the sayd money due & payable by reason of his office, at or before the said feast of Easter, shal forfeit xii. s. of euery pound, in the name of a paine, for euery moneth after the said last day of apparance, and default made as is aforesaid, vntill the same money shalbe by him or his deputie, payd to the handes of the said Receiuer to the vse of the Queene. 7. Ed. 6. 1.

The forfeiture
where the ac-
comptant ma-
kerp default.

Second des-
fault.

Auditors pre-
cepts to the ac-
comptants.

12 ¶ Euery Auditour of the Queenes, of her landes, possessions, rents, and reuenues, for the time being, or his sufficient deputie, shall haue full power perely to make his precepts to all Ministers, Collectours & Bailiffes accomptants, commaunding them in the behalfe of our sayd soueraigne Lady, to appeare and accompt before him personally, or els by their sufficient deputy or deputies, at a place certayne, within the Countie where the same landes and possessions doe lie, at the Queenes Audite to be holden there perely, betweene the feast of Saint Michael the Archangel, and the Nativity of our Lord God, of and for all rents, reuenues and profits, due and payable within, or by reason of their said offices &c. at or before the feast of S. Michael the Archangel

Archangel next before the same Audit, expressing in the same precepts, the time and place, when and where the same Ministers, Collectors and Bailiffes accomptable, or their sufficient deputies, for whom they will answer shall appeare, the same precepts to bee deliuered to the same ministers &c. accomptable, or their deputies, or left at their dwelling houses, or at the manor or place where their Collections are or ought to bee, twelue dayes at the least, before the day of apparance to them prefixed in the same Precepts. And if any Minister &c. accomptant do not appeare before the sayd Auditour or his deputie at the said Audit, according to the sayd precept, or els if he doe appeare and refuse to accompt for his sayd receipt &c. before the sayd Auditor &c. and being thereof lawfully conuicted in the Court where the reuenuue shall be answerable, hee shall for his first offence forfeite to the Queene his whole fee for that yeere, wherein he shall so make default, or the value thereof. And for the non payment of the sayd money due and payable within his collection &c. at or before the sayd feast of Saint Michael the Archangell, shall forfeite to the Queene for his first offence six pence of euery pound, in the name of a paine, for euery Moneth after the said day of apparance and default made, as is aforesaid, untill he or his sufficient deputie shall accompt before the said Auditour or his deputie, for his said Collection &c. And also pay vnto the handes of the said Receiuer euery such Summe of money, as shall bee iustly founde due by the said accomptant before the said Auditor &c. to the Queenes Maiestie, vpon the foote and determination of his accompt. And after the first default of apparance made before the said Auditour &c. by any of the said Officers accomptant being so warned as is aforesayde, and after another like Precept made and deliuered or left in fourme aforesayde, then the sayd Officer that so shall make againe default of apparance, for the said seconde offence in making default in his apparance, as is aforesaid, and being thereof duely conuicted in the Court where the reuenuue of his said Office shall be answerable, shall forfeite to the Queene his Office and fee. And for the second offence in the non payment of the said money due and payable by reason of his receipt &c. at or before the said feast of Saint Michael, shall forfeite to the Queene xii. d. of euery pounce in the name of a paine, for euery Moneth after the said last day of apparance & default made, as is aforesaid, untill hee or his sufficient deputie, shall accompt before the said Auditor or his deputie, for the said receipt, collection, or bailiwiike, & also pay vnto the handes of the said Receiuer or his deputie to the Queenes vse, all such summes of money, as shalbe iustly founde due by the said accomptant, vpon the foote and determination of his said accompt. 7. Ed. 6. 1.

xii. dayes warning.
If the accomptant make default.

Second default.

Accomptants and debtors to the Queene.

Officers Accomptants concealing duties.

13 ¶ See the said statute of 33. H. 8. 39. if any Bailiffe, Reeue, or other Officer accomptant of the Queenes, vpon the declaratiō of his accompt, doeth willingly conceale and withdraue any rent, reuenue, fine, harriot, or other casualtie whatsoeuer it be, of the which he ought to haue made accompt, and that duely proued before the head Officer of the court where &c. hee shal lose his Office and fee, and three times so much as he hath concealed.

The Queenes bailiffes may distraine for arrearages.

14 ¶ Euery Receiuor, Collectour and Bayliffe of any of the Queenes landes, rents, or reuenues, for lacke of payment and leuying of their sayd rents, issues, & reuenues within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Eschequer, for leuying of the Queenes reuenues, answerable in the same Court, herctofore haue done, and may lawfully doe, deliuering to the partie distrained the surplusage of the value of euery such distresse (if any shalbe) the Queens duties being first paid, and the distrainant answered of reasonable costes. 7. Ed. 6. 1.

Within what time the Receiuors shall make payment

15 ¶ Euery Receiuor of the Queenes landes, rents, reuenues &c. shall make ready & full payment verely to the Treasorer, or generall Receiuor of the Court, where the sayd reuenues shall bee answerable, or otherwise, as he shalbe appoynted by sufficient warrant, of all such summes of money as he shal know to be due to the Queene, and can by any lawfull meane get or receiue of the rents or reuenues of our sayd soueraigne Lady, within or by reason of his office, being due at or before the feast of Easter, by the xx. day of Iune then next folowing at y farthest. And also shal make like payment verely of al his like receipts of the rents &c. that shal be due at or before the feast of Saint Michael the Archangel by the xx. day of Januarie then next folowing at the furthest, vpon payne of forfaiture for euery default at any of the sayde dayes, two pence of euery pounce for euery day that the sayd money so by him shalbe vnpayde. 7. Ed. 6. 1.

When the Receiuors shall accompt.

16 ¶ Euery of the sayd Receiuours, or their deputies for whome they will answer, shal enter into their accompt verely in the terme of Saint Pillary, and fully finish the same before the tenth day of March then next folowing, and make ful and ready payment of y money that shall appeare to be due vpon the foote of the same accompt, before the twentie day of the said moneth of March, vpon payne of forfaiture to the Queene their offices and fees, and iiii. pence of the pound for euery day that they shall withhold the said money. 7. Ed. 6. 1.

These accomptants shall declare what money they haue, and make ready payment.

17 ¶ All Treasurers, Chamberlaines, and generall Receiuors of any of the Queenes Courtes of reuenue for the time being, & all Customers, & Collectors of customes, or certaine and stalled Subsidies within

within any Port, Haven, or Creeke of the Realme of England, which nowe be or hereafter shalbe, within ten dayes next after notice to him or them giuen from the Queene, or sixe of her priuie Councell, in writing signed with their handes, shal by themselves, or their sufficient deputies for whom they wil answer, declare in writing, what summes of money then being due vnto our sayde Soueraigne Ladie, be at that time in his or their handes, and shal make ready and full payment of al the said summes, as then shall remaine in his or their handes (ouer and aboue the ordinary payments and summes of money contained in sufficient warrants remaining in their offices, & being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge,) to the vse of the Queene, at such time and in such sort as they shall be commaunded by sufficient warrant, vpon payne of forf. of his or their office or offices. 7. Ed. 6. 1.

18 ¶ The same Treasurers, Chamberlaines, and generall Receiuors, by themselves, or their deputies for whom they will answer, shal perely before the xx. day of June make a perfect accompt of all such money or treasure, as hath come to their hands to the Queenes vse, perely at or before the xx. day of March, then next before the sayde xx. day of June, and shal make a perfect declaration in writing of the money remaining in euery of their hands, to the Q. or to her priuy counsell, perely before the last day of June then next following, & make payment of the same at such time, & in such sort, as they shalbe commaunded by sufficient warrant, vpon paine of forf. of their offices. 7. Ed. 6. 1.

Within what time these accomptants shall make their accompts perely.

19 ¶ If any Auditour or his deputie, which ought to take the accompt of any Treasurer, Chamberlaine, Receiuor, or other officer accountable before him, doe refuse or willingly delay the taking of the same accompt, in such wise as it can not be finished with in the time appointed by this act, then he being therof duely conuicted in the Court where the reuenue or charge of the same accompt shalbe answerable to the Queene, shall lose such like forf. as the Treasurer, Chamberlaine, Receiuor, or other officer abouesaide ought to doe by this act, for not accompting of and for their charges & office or offices: And thereby the same Treasurer, Chamberlaine, Receiuor and other officer that should accompt, and shalbe refused or delayed, shalbe discharged of any paine, losse or forf. for not accompting. 7. Ed. 6. 1.

If the Auditour refuse or delay to take the accompt.

20 ¶ The duplicat or copie of euery accompt that shalbe made by any Treasurer or Receiuor, or by their deputies in forme aforesayde within conuenient time after the finishing of the same, & at the reasonable request, and cosses of such accomptant, shalbe deliuered vnto the subscribed with the hand of the Auditor that shall take the same accompt, or of his

The copie of the accompt deliuered to the accomptant.

Accomptants and debtors to the Queene.

his deputie &c. vpon paine that the same Auditour shall forfeite to the Queene for euery such default, .x. li. 7. Ed. 6. 1.

Bishops for
tithes.

21 ¶ But this act shall not charge any Archbishops, or Bishops to make any bondes, or to make their accompt and payment of the tenths arising within any of their Diocesses due to the Queene, in any other maner then they haue bene charged, or accomptable and chargeable by the lawes and statutes of this Realme. 7. Ed. 6. 1.

Sheriffe.
Escheator.
Collectour.

22 ¶ Neither shall this acte extende to touch, or charge any Sheriffe, Escheator, or collectour of any Dismes, Quindismes, beneuolences, Contributions or Subsidies, (subsidies of Tonnage & pondage onely except) but that euery of them may exercise their sayd seuerall offices, & pay such summes of mony, as any of them shalbe charged withall by their said seuerall offices, in like sort as euery of them haue vsually done, or ought to do if this act had neuer bene made. 7. Ed. 6. 1.

Collectour of
fifteenes, subsidies
and other
taxes.

23 ¶ Euery high Collectour of any fifteene, subsidie or other taxe or lone, shall within thre moneths next after such times as the same shalbe due, & payable to the Q. her heires or successours by any statute, ordinance, or other meane, & by the same Collectour receiued, cruelly pay the same to the Queenes vse, at such place, & to such person as shall be named for the same, vpon paine to forfeite to the Q. her heires & successours, for euery pounce so being receiued, & after that retained, kept, or layd out for gaine, & not payed within iii. moneths to the Queenes vse, as is aforesayde, foure shillings for euery moneth that the same money shall be retained, kept, or layed out for gaine, & also shall lose his office concerning the same, and all profittes thereunto belonging. And the Queene shall at her pleasure, charge the said Collectour, vpon his accompt, with the penaltie and forfeitures aboue rehearsed, or els recoouer the same by Accion, Bill, plaint, or suite of debt against the same Collectour, his heires, executours or Administratores, wherein no W. &c. E. or R. &c. 34. H. 8. 2.

The collectors
payment being
redyed, sufficeth

24 ¶ If any of the saide Collectours tender payment of all such mony by him receiued to the Queenes vse within the said iii. moneths, in such place, & vnto such person as shall be charged with the receipt of the same, & do as much as in him then shalbe for to make true payment thereof, & cannot be thereunto admitted by reason of importunate business, or other lawful impediment in him that should receiue the same, then the same Collectour &c. shall not be charged with, or incurre any danger or penaltie contained in this acte. 34. H. 8. 2.

How farre the
Collectours
heire shalbe
charged.

25 ¶ The heire of any Collectour aforesaid, (or of any Receiuour of the Eschequer, Duchie of Lancaster, or court of wardes & liueries) shal not be charged by reason of this act, but only for & in such lads &c.

or hereditamentes, which hee shall haue by discent in fee simple, or fee taile, or by gift, or els by any other assurance made to any such heire onely by couin from the saide Collectour, or Receiuer, or any of their assignes. And in euery such case, the Queenes maiestie her heires and successours shall haue execution only of & in such lands &c. or hereditaments descended, giuen or otherwise assured as is aforesaid, vntill such time as her Maiestie &c. be fully satisfied of euery such summe of money due by any such Collectour or Receiuer. 34. H. 8. 2.

26 ¶ The executors or administratours of euery such Collectour, shall not be otherwise charged by this acte, but as executors & administrators should be chargeable by the order of the comon law, in accions of debt vsed against them as executors or administrators. 34. H. 8. 2.

27 ¶ Where the heire of any of the Queenes Collectours, Receiuors or debtors shall be charged for his fathers or auncestours debtes or dueties whose heire he is, whereby the land descended or giuen to him by couin to defraude the Queenes execution therof is put in executiō, then such heire shal and may haue his action of debt against the executors or administrators of his said facher or auncestor, & shall haue execution of y goods and cattels of the saide facher or auncestor being in the hands of the said executors or administrators at the time of the said accion brought, in which accion no W. C. or P. &c. 34. H. 8. 2.

28 ¶ This act of 34. H. 8. 2. doeth not extende to the Collectours of the Queenes Custome, nor of the subsidie of Tonnage & Pondage, which be accomptable yerely in the Queenes Eschequer. And this act was provided for Receiuors also, but the forelayd Statute of 7. Ed. 6. appointeth another order of accompt and payment to them, and also other penalties. See 34.

29 ¶ All landes, tenementes, profites, commodities, and hereditaments which any Treasorer, or Receiuer, in, or belonging to any of the Queenes courtes of the Eschequer, Wardes and Liueries, Duchie of Lancaster, Treasorer of the chamber, Cofferer of the housholde to the Queenes Maiestie, her heires or successors, Treasorer for the warres, Treasorer of any fort, towne, or castell, where any garisson is or shalbe kept, Treasorer of the Admiraltie or nauie, Treasorer, Undertreasorer, or other person accomptable to the Q. Maiestie, her heires or successors for any office or charge, of, or within the Mint, Treasorer or Receiuer of any summes of money in prest, or otherwise for the vse of the Q. Maiestie her heires or successors, or for prouisions of victual, or for fortificatiōs, buildings or workes, or for any other prouisions, to be vled in any the offices of the Queenes ordinance & artillery, armory, wardrobe, tents & pavilions, or reuels, Customer, Collectour, Fermor

Wolv sake the Collectours executors or administrators shalbe charged.

The heire being charged shall haue remedie against the executors, &c.

Collectors of the custome of the subsidie of tonnage and pondage.

These accomptants landes liable to the payment of the Queenes debtes.

Accomptants and debtors to the Queene.

of Customes, Subsidies, Imposts or other dueties within any port of the Realme, Collectour of the tenth of the Clergie, Collectour of any Subsidie or Fiftene, Receiuor generall of the reuenues of any Countie or Counties answerable within the receipt of the Eschequer, or in the Court of wardes & lueries, or the Duchy of Lancaster, Clerke of y^e Hamper, now hath or at any time hereafter shall haue, within y^e time whilist he or they or any of them shal remaine accomptable, shal for the paiement & satisfaction vnto the Q. Maiestie, her heires & successors, of his or their arrerages, at any time to be lawfully according to y^e lawes of this realme adiudged, & determined by y^e his or their accompt al his due & reasonable petitions being allowed, be liable to y^e paiement thereof, & be put in execution for the paiement of such arrerages, or debts to be so adiudged & determined vpon any such Treasurer, Receiuor, Teller, Customer, Collectour, Farmer, Officer or accomptant as is before named in like & in as large maner to al intents, as if the same Treasurer, Receiuor, or Collectour &c. vpon whom any such arrerages or debts shall be so adiudged, had the day he became first officer or accomptant, stand bound by writing obligatory, hauing the effect of a statute of the Staple, to her Maiestie her heires or successors for the true answering and payment of the same arrerages or debts, 13. El. 4.

Where the
Queene may
set the accompt
of the lands.

30 ¶ If any Treasurer, Receiuor, Collectour &c. or other person accomptant before mencioned, which shal receiue or be chargeable with any money or treasure of the Queene, her heires or successors, & shall vpon the determining of his accompt, (al his due petitions to him by y^e same accōpt being allowed) or by reason of any farme as aforesaid, be found in arrerages, or to owe vnto our said soueraign Lady, her heires or successors any summe of mony, & shal not within the space of vi. moneths next after his accompts finished, or debt knowen, (hauing allowance of his due petitions) truly pay all such arrerages as he shall owe vpon determination of his accompt, or vpon his debt knowen, then it shall be lawfull to the Queene, her heires and successors, at any time after y^e said sixe moneths ended, to make sale by her or their letters patents vnder the gre at seale of England, of so much of the landes, tenements, and hereditaments of euery such accomptant or debtor, as may suffice our sayde soueraigne Lady &c. for the satisfaction of his debt or arrerages, vntill her Maiestie &c. be by such sale fully satisfied of such arrerages and debt to be found vpon accompt or farme &c. And if any ouerplus of money shalbe reserved or had, vpon any such sale, then the same shalbe deliuered to the accomptant or farmer, or his heires, by y^e officer that shall receiue the money, vpon any of the saide sales, without any other warrant in that behalfe to bee obtayned, and al the

said

said sales to be made by the Queene &c. shall be good and auaylable in law against the partie accomptant indebted, and his heires claiming as heires, and against the Queene her heires and successors, notwithstanding any former charge or incumbrance to her Maiestie, &c. by the person for whose debt the same shall be solde, 13. Eliz. 4.

The sale good against the Queene and accomptant.

31 ¶ If any person accomptant or indebted, as is aforesaid, shall at any time after he shall become accomptant or chargeable, as is aforesaid, purchase, or cause to be purchased, any landes, tenements or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is in deed meant to y^e vse, profite or behoofe of such person accomptant or indebted, or of any other person, & the same manner of purchasing & secret vses &c. shall be found by office or inquisition, then all and euery landes &c. so to be purchased or caused to be purchased, shall be taken & v^{se}d for the satisfaction of the arrerages and debt of euery such accomptant or debtor to all intentes, as though the person indebted were thereof actually seised of such estate as was conueied to any person by any such accomptant or debtor, or by his meanes as is aforesaid. And al sales to be thereof made by the Q. &c. for satisfaction of such debt or arrerages, as shall be found to be due and owing to her, shall be of the like effect, and be v^{se}d in such like manner as is before (30) expressed, 13. Eliz. 4.

Accomptants purchase lands in others names.

32 ¶ All landes, tenements, & hereditaments which any accomptant before named, hath heretofore sithence the beginning of y^e Quenes reigne, purchased, or caused to be purchased, to the intent the same should not be liable as is aforesaid (the couin being first found by office &c.) shall and may be seised by her Maiestie, her heires or successors, & retained by her &c. in fee simple, to be sold or oth^{er}wise v^{se}d at her & their pleasures, towards the satisfaction of all arrerages already set or determined, or that hereafter shall be determined vpon his accompt (all reasonable & due petitions being allowed) at such rate and value as the same were purchased, or caused to be purchased, by any Treasurer, Receiuor, Teller, &c. or by any other person to their vse. If the lands so to be seised or sold by her Maiestie, her heires or successors, as is last aboue mencioned, do surmount after the rate & value aforesaid, the debt & arrerages to be determined vpon the accompt of any Treasurer, Receiuor or accomptant before named, then her Maiestie &c. shall seise onely so much as should amount after the rate and value aforesayde, to the full payment of such debtes and arrerages, as hath bene or shall be determined or adiudged vpon his accompt, as is aforesaid, 13. El. 4.

Lands purchased since the beginning of the Quenes reigne.

33 ¶ No Bpsho^p hauing the collection of any Subsidie or tenths or any his landes &c. whereof he is seised in the right of his bishopricke

No Bishops lands chargeable.

shall

Accomptants and debtors to the Queene.

shall be charged by vertue of this acte for any arrerages, of tenthes or subsidie, otherwise then he might lawfully haue bene before the making of this act. 13. El. 4.

Accomptants
not exceeding
££.li.

34 ¶ This act shall not extend to charge any Treasorer, Receiuer, or accomptant aforesaid, hauing any perely receipt, nor any their lands &c. whose perely receipt, collection and charge, or whose whole receipt from the beginning of his charge, is not, or hath not bene, or here after shall not be aboue the summe of ££.li. in any other maner, then hee might lawfully haue bene charged before the making of this act. 13. El. 4. See before 28.

Accomptants
which are not
to make pre-
sent payment.

35 ¶ But because the Treasorer of the Chamber, & Cofferer of the houtholde of the Queene her heires and successours, treasurers of warres or garrisons, Treasurers of the nauy, Treasurers or receiuers of any summes of money for prouision of victual, or for fortifications or for building, and master of the wardrobe, are by order of their offices & charges after their accōptes ended, to disburse the debt remaining vpon their accōptes, in such charges as are necessarily to bee prouided in their offices and charges, so as they are not of such summes of money to make present payment as other accomptants are, therefore this act shall not extend to giue any authoritie to make sale of any landes &c. for any such debt to be iudged in any of their accōpts last mencioned, vnlesse the Queene, her heires and successours vpon the determining of their accōptes (all their due petitions to them &c. being allowed) commande present payment thereof, or otherwise estloones require a newe accōpt of the same debt so remayning in any the accomptants mentioned in this branche, & that then the same debt or any part thereof, shalbe found to be owing & vnerpended in the charges pertaining to any of their said offices, & the same debt remaine vnpayde by the space of vi. moneths after such request or commandement. 13. Eliz. 4.

Sheriffe, El-
shetor, Bailife
of liberttes.

36 ¶ This act shall not extend to charge any Sheriffe, Elshetor, or Bailife of libertties, or the landes, tenements or hereditaments of any of them, nor of any their heires or assignes, for any thing touching their office of Sherifwick, Elshetorship or Bailiwicke, nor for any money by them receiued by reason of any their sayde offices, in any other maner, then they might lawfully haue bene charged, before the making of this act. 13. Eliz. 4.

Lands purcha-
sed bona fide.

37 ¶ This act as touching only the sale of any lands or tenemēts, shall not extend to any landes &c. which any persons now (viz. 2. April. 13. Eliz. Anno Dom. 1571.) haue or enioy, and haue purchased or obtained Bona fide, & not being priuie or consenting to any such intent, to defraude the Queene, as is aboue said, 13. Eliz. 4.

Accomptants and debtors to the Queene. 9

38 ¶ It shalbe lawfull to every person, whose lands, &c. shall by any office or inquisition, be founde to be fraudulently conveyed as is abovesayde: to haue his lawfull traaverse to every such office. &c. And if it be founde with the partie that tendereth the traaverse, then he shall haue the sayde landes out of the Princes hands without any petition, liuerie, or Ouster le main, or any other suite to bee made or vsed, and the same being founde for such person, so traaversing, the same landes &c. shalbe adiudged as not lyable, chargeable, nor to be solde by force of this statute. 13. Eliz. 4.

*The partie
griued may
haue his traaverse.*

39 ¶ If the Queene &c. shall by any sale of landes by force of this statute, be fully satisfied of the debt or arrearages of any such accomptant or debtor or any part thereof, then his sureties shall bee discharged of so much of the sayde debt, forsaiture and arrearages, as so shall be satisfied, and for the residue onely shall bee ratable (according to their abilities) charged. 13. Eliz. 4.

*If the Queene
do sell the debtors
lands, the
sureties be discharged.*

40 ¶ The foresayde statute made 13. Eliz. 4. to make the landes, tenementes, goodes and cattels of Tellers, Recepuors, &c. to bee lyable to the payment of their debts, shall to all intents as amply extend and bee construed to extend to all such vnder collectors of tenths and subsidies of the Clergie, and to their landes, tenements and hereditaments, goods and cattels, for satisfying of such money as they haue collected, or shall collect of the sayde tenths and subsidies to the vse of the Queenes Maiestie, her heires and successors (of what peere-ly summe soeuer the charge of their collection is or shall be) in like fourme as it doeth extend to the Tellers, Recepuors, and other persons accomptant, whome the sayde acte specially and expressly concerneth, and in as ample wise as if such vnder collectors were immediately accomptant to the Queene, &c. 14. Eliz. 7.

*Vnder collectors
of tenths
and subsidies.*

41 ¶ And every such vnder collector shall vpon proces awarded out of the Eschequer, be chargeable to accompt for his receipt of such tenths and subsidies, as any Recepuor immediately accomptant to her Maiestie is or ought to bee. And euerie Archbishop and Bishop, and Deane and Chapter (Sede vacante) to whose charge the collection of such tenths or subsidies, doeth or shall appertaine, shalbe discharged of so much of the sayde tenths and subsidies, as shall be satisfied to the Queenes Maiestie, her heires or successors, of or by the landes, tenements, or hereditaments, goods or cattels of such vnder collector or his heires, without any other warrant whatsoeuer to be obteyned. 14. El. 7.

*Vnder collectors
of tenths
accomptable in
the Eschequer.*

42 ¶ If any disme or part of disme bee graunted by the Clergie of the prouince of Canterburie and Yorke, to the Queene, or to her

Accomptants and debtors to the Queene.

Accomptants
for busines not
chargeable to
other suites in
the Elchequer.

heres, after the certificat thereof into the Elchequer, and of the names of the collectors for the gathering of the same, if the same collectors do come by p[ro]ces before the Barons of the Elchequer, and enter in their accompt, they shall not bee bound to answer bill or billes there exhibited agaynst them by reason of the sayde entry in their accompt, for any maner of cause but onely for the matter touching the sayde accompt. But if the sayde accomptant bee sued in any other court, by writ, bill, or plaint, then he shall take no p[ri]uiledge, of the sayde Elchequer by reason of the sayd accompt for any such suite, 1 Ric. 3. 14.

Confession of
debt to the
Queene to a-
void anothers
execution.

43 ¶ If he that is condemned and in execution at an other mans suite, will confesse himselfe debtor to the Queene, where he is no debtor of recorde, he shall be remaunded to the first prison, and his creditor being satisfied, he shall be committed to the Fleete vntill hee hath payed the Queene that summe confessed, 1 Rich. 2. 12.

The suerties
shall not be
charged so l[on]g
as the p[ri]ncipal
debtor is
sufficient.

44 ¶ The Queene nor her Bailifes shall seise any mans lands or rent for any debt, so long as the debtors p[re]sence or cattell will suffice to pay the debt, and the debtor readie to satisfie it, nor any mans suerties shall be distrained so long as the chiefe debtor is sufficient, and if the chiefe debtor doeth faile of payment, not hauing, or not willing to pay, the suerties shall answer it, and if they will, they shall haue the debtors landes and rentes, vntill they bee satisfied, Magna Charta. An. 9. Hen. 3. 8.

The Shirife has
ning p[ro]ces to
leuy p[ro] Queens
debts must
take suretie of
the partie be-
ing offered to
discharge it.

45 ¶ Too great a distresse shall not bee taken for the Queenes debt, nor giuen to farre, and if the debtor can find sufficient & conuenient suretie vnto the Shirife, vnto a certaine day within which hee can procure a remedie to agree for the thing in demaunde, the distres shall be discharged in the meane time, & he that doeth otherwise shall be grieuously punished. 28. Ed. 1. 12. And all debtes of the summons of the Elchequer, that the Shirife or Bailife do confesse receipt of, shall be forthwith allowed, so that whether he receyued all the debt or part, it shall neuer come in demaunde or summons after the Shirife hath confessed payment. Stat. de distric. Scac. 51. H. 3. And if the Shirife at the next accompt after hee hath receyued such debtes, doe not acquitte the debtor, he shall pay to the plaintife thise so much as hee receyued, and make fine at the Queenes pleasure, West. 1. 3. Ed. 1. 19.

The Shirife
hauing leuied
the Queenes
debts, shall dis-
charge the
debtor.

Commissions
to enquire of
accomptants.

46 ¶ Immediately after euery finall accompt, made and deliuered before p[ro] Barons of p[ro] Queenes Elchequer, by any Shirifes, Elche-
tors, Customers, Comptrollers, & other officers accomptable, the re-
nor of the accompt of euery of p[ro] same officers shall be from time to time
sent into the counties in the which the same accomptants be officers, to-
gether w[ith] commissiōs directed to the most credible, lawfull & discrette
persons,

persons, for to enquire & make certifiat of y^e profitcs, which the said accomptants haue receyued in y^e foresaid Counties, in their owne name, to y^e Queenes vse, & vpon their accompts, haue deceitfully concealed and retained the same, to their owne vse & profite. And in case any such Accomptants be attainted of any such frauds and deceits, they shall forf. to y^e Queene, treble of that, whereof they shall be conuicted, and their bodies shall be imprisoned, vntill they haue made fine and ransome to the Queene, according to the discretion of her Judges. 6. Hen. 4. 3.

Accompt.

If Baylifes which are bounde to yeld accompt to their Lordes, doe withdraue themselves, and haue no landes or tenements whereby they may be distrained, then their bodies shall be attached, so that the Shirifes, in whose Bailiwicks they shall be founde, shall cause them to appeare, to yeld their accompts. Parlb. 5. 2. Hen. 3. 24.

Accomptants
withdrawing
themselves.

2 ¶ If the master doe assigne Auditors to any Bailifes, seruants, chamberlaines, or other receyuers, which are bound to yeld accompt, and it chaunce them to bee founde in arrerages (all things being to them allowed) they shall be arrested, and by the testimonie of those Auditors committed to the next gaole which the Queene hath in those parties, and shall be receiued of the Shirife or his gaoler, and in prison fettered in Irons, and remaine in the same prison liuing of their owne goods, vntill they haue fully satisfiied their master of all the arrerages. But if any which is so committed to prison, will complaine that the Auditors haue vniustly charged him with receipts which hee hath not receyued, or by not allowing him reasonable expences, and will finde friends which will undertake to bring him before the Barons of the Eschequer, he shall be deliuered vnto them, and the Shirife in whose custodie hee is, shall warne his master that he doe appeare before the Barons of the Eschequer, at a certaine day, with the Rolles and Talys whereby he yeldded his accompt, & in the presence of the Barons or the Auditors which they will assigne, the accompt shall be recited, and iustice shall be done to the parties, so that if he bee found in arrerages, he shall be committed to the Fleete, and if he flee, and will not willingly yeld his accompt, he shall be distrayned to come before the Iustices to accompt, if he haue whereby to be distrayned, and when he cometh to the Court, Auditors shall be appoynted vnto him, before whome if he be found in arrerages, and will not forthwith pay the same, he shall be committed to the gaole, to be kept in forme aforesayd, and if he flee, and the Shirife doth testifie that he can not be found, the exigent shall be awarded agaynst him vntill he be outlawed,

where Auditors
may come
with accomptants
to prison.

Ex parte talis,

Accusation, Additions.

lawed, and he which is so committed to prison, is not repleuisable, West. 2. An. 13. Ed. 1. 11. See Escape. 1.

1 That an accion of debt is maintainable agaynst a sherife or Gaoler which letteth an accomptant escape, which is committed to his gard. See Escape. 1.

2 That executors shall haue an accion of accompt, S. Executors. 1.

3 When, where, & before whom, Collectors for the building of prisons, shall make their accompt, See Prisons. 2.

4 For the accompt of those which shall receyue any money for the mending of high wayes, See high wayes. 10. 11.

5 For the accompt of Collectors and Surueyors for the mending of Bridges, See Bridges. 4.

6 For the accompt of Collectors for the poore, and of Censors and Collectors for houses of correction. See Poore 6. 26.

Accusation.

Noni shall be
condemned
without law,
full trial.

NO freeman shall be taken or imprisoned, or disseised of his free-
holde, liberties or free customes, nor shall be outlawed, banished,
or by any meanes brought to destruction, neither shall any passe, or
sit in iudgement vpon him, but by the lawfull iudgement of his e-
quals, or by the lawe of the Realme, neither shall iustice or right bee
solde, denyed, or deferred to any man. Magna Charta. 9. Hen. 3. 29.
5. Ed. 3. 9. And if any man bee taken or put to answer without a
presentment before Iustices, or some matter of recorde, or by due pro-
ces, or by writ originall, the same is voyde and erroneous. 25. Ed. 3. 4.
28. Ed. 3. 3. 42. Ed. 3. 2. See Suggestion.

Additions.

Additions
where an ex-
igent shall be
awarded.

IN euerie originall writte of accions personalles, appeales and in-
dictments, where an exigent shall bee awarded, the names of the de-
fendants shall bee put, with additions of their estate or degree, or my-
sterie, and the townes or hamlets or places, and the countyes of the
which, and in the which, they were or bee conuersant, and if by proces
vpon the saide originall wittes, appeales, or indictments in which
the sayde additions bee omitted, any outlawries be pronounced, they
shall be voyde, and before the outlawries pronounced, the sayde wittes
and indictments shall be abated by exception of the partie, whereas in
the same the said additions be omitted. But though the same wittes
of accions personalles doe not agree with the recordes and deedes in
surplusage of the foresayde additions, yet for that cause they shall not
abate, and the Clerkes of the Chauncerie (vnder whose names such
wittes

written shalbe written) shall not omit the sayd additions, vpon payne to be punished, and to make fine to the Queene at the Chauncelours discretion. 1. Hen. 5. 5.

2 ¶ If the offender agaynst whome any writ of Excommunicato capiendo, according to the statute of 5. Eliz. shall be awarded, shall not in the same writte haue a sufficient and lawfull addition, according to the fourme of the foresayde statute. 1. Hen. 5. Then all paines and forfeitures limited agaynst such person excommunicate by the saide statute, by reason of the sayd writ of Excommunicato capiendo, wanting sufficient addition shall be voyde. 5. Eliz. 23. See Excommunication.

Addition in
Excommunica-
to capiendo.

Admeasurement.

The Gardein shall haue a writ of Admeasurement of dower: But yet by the Gardeins suite, (if he will sue faintly and by collusion agaynst the woman which is tenant in dower) the heire shall not be foreclosed when he cometh to full age, to admeasure the dower, as it is to be admeasured by the lawe of this Realme. And aswell in the writ of admeasurement of dower, as in admeasurement of pasture, when the suite is come to the graunde distresse, dayes shall be giuen, within the which there may be holden two Countyes, at the which open proclamation shall be made, that the defendaunt shall appeare at the day contayned in the writte, to answer the plaintife, at which day, if he doe appeare, the suit shall proceede betwixt them, and if he do not appeare, and the proclamation be in forme aforesayd testified by the Shirife, admeasurement shall be made by the default. West.

Admeasures
met of dower.

2. 13. Ed. 1. 7.

2 ¶ If by a suite moved vpon a writte of admeasurement of pasture, the pasture was once admeasured, and that it chaunce after such admeasurement the pasture to bee overcharged againe by him that first did overcharge, with mo beastes then he ought to keepe, if the admeasurement were before the Iustices, the plaintife shall haue a Iudiciall writ, that the Shirife in the presence of the parties being sommoned (if they will appeare) shall inquire of the second surcharge, which if it be found, shall be returned before the Iustices vnder the seales of the Shirife and the Iuroys, and the Iustices shall awarde the plaintife damages, and shall put in the estreates the value of the beastes, which bee that overcharged after the admeasurement, put into the pasture more then he ought, and shall deliuer the estreates to the Barons of the Eschequer to answer the Queene. If the admeasurement were made in the Countie, then at the request of the plain-

Admeasures
met of pasture

Administrators, Admirall and admiraltie.

tise, a writte shall be awarded out of the Chauncery, that the Shirife shall enquire of such ouercharge, and of the cattell put in the pasture about the due number, and shall answer the Queene the value of them in the Eschequer. And least the Shirife shoulde decyue the Queene in this case, all such writtes of Secunda superoperatione, which be awarded out of the Chauncerie, shall be enrouled, and in the end of the yeere the transcript thereof shall be sent into the Eschequer vnder the Chauncelors seale, that the Treasorer and Barons of the Eschequer may see howe the Shirife hath answered the profite of such writs. And in like sort shall the writs of Redesseisein be shrouled and sent into the Eschequer in the ende of the yeere. Westm. 2. 13. Ed. 1. 8.

Administrators.

Where a man dyeth intestate, the Ordinarie shall depute the next and most lawfull friendes of him which dyed intestate, to administer his goods, which deputies shall haue an accion in the Queenes Court to demaunde and recouer as executours, the debtes due to him which is dead, and shall answer others in the Queenes Court, to whom the dead person was indebted and bound, in the same maner as executours shall, and also shall be accomptable to the Ordinarie, as executours shal, in case where a testament is made. 31. Ed. 3. 11.

1 To whom the Ordinarie shall commit the administration of the goods of him that dyeth intestate, and what he shall take for the same, See Probate of Testament, 5. 6.

Admirall and Admiraltie.

With what
thing the Ad-
mirall shall
meddle.

The Admirall and his deputies shall meddle with nothing done within the Realme, but onely with things done vpon the Sea, 13. Ric. 2. 5. And he that is griued agaynst this statute, shall haue an accion vpon the case agaynst him which pursueth in the Court of the admiraltie, and shall recouer agaynst him double damages, and the pursuer being attainted shall forfeite to the Queene. 1. li. 2. H. 4. 11.

Where the
Admirals iur-
isdiction doth
lye.

2 The Admirals court haue no maner of cognisance, power, or iurisdiction of any contracts, pleges, quarels, or other things made or rising within the bodie of the Shires, by lande, water, or wecke of Sea, but all such contracts &c. and other things shall be tryed, determined, discussed and remedied by the lawes of the Realme, and not before the Admirall nor his deputie, But the Admirall hath cognisance of the death or mayhem of a man committed in any great ship, fleeing vpon the high streame of great Rivers: onely beneath the Bridges

Byldges of the same Rivers next the Sea. And also to arrest shippes in the great streames for the voyages of the Queene and Realme, sauing to the Queene all forfeitures and profittes thereof comming. And also he hath iurisdiction in the sayd streames during the sayde voyages onely, sauing to all Lords, Borowhs and Cities, their Libertyes and Franchises. 15. Rich. 2. 3.

3. ¶ By the statute 2. Hen. 5. 6. like power as the Admirall hath, is giuen to him which shall bee assigned by the Queene in any Port to be Conservator of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwayes reserved to the Admirall or his generall Lieutenant. See Piracie. For the authorities delegaties in marine causes, See appeales, 8.

Conservators
of the truce.

Age.

¶ If a man doe purchase an Assise, and the principall disseisour dyeth before the Assise doeth passe, the plaintife shall haue a writ of Entry vpon disseison agaynst the heire of the disseisor of what age so euer he be. And in the same maner the heire of the disseisee shall haue his writ of entrie against the disseisors or their heires of what age soeuer they be, if the disseisee die before he hath purchased his writte, so that the writte shall not be abated, nor the plea delayed by the noneage of the heires of the one partie or of the other, but in that a man may without offending the lawe, freshe suite shall bee made in haste after the disseisin. And this point shall be obserued in the right of Prelates and others to whome landes can not by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading discead to an Enquest, and that doe passe agaynst the heire within age, and namely against the heire of the disseisee, hee shall in that case haue an attaynt by the Queenes speciall fauour without giuing any thing therfore. West. 1. 3. Ed. 1. 46.

Noneage shall
not helpe the
disseisor or his
heire.

2. ¶ If an Infant be kept from his inheritance, after the death of his father, graundfather, or great graundfather, whereby he is enforced to haue a writ, and his aduersarie doeth appeare in Court, and in pleading alledgeth a feffement, or sheweth some other thing, whereby the Iustices doe awarde an Enquest, the Enquest shall passe as though he were of full age. Gloucester. 6. Ed. 1. 2.

Prelates.
Noneage shall
not stay an
enquest.

3. ¶ In euery case where such as be within age may sue, if they be elaigned, so that they can not personally sue, their next friends shall be admitted to sue for them. 13. Ed. 1. 15. See Wardes.

Suit by pro-
chein amy.

1 That a womans suite which demaundeth landes, which her hus-

Ayde to marry the daughter.

band did alien of hers, shall not be differred by the minority of her husbands heire which should warrant them. See Women, 15.

2 That eche one bound apprentice within age, shal serue as if he were of full age, See Labourers, 23.

Ayde to marry the daughter, and to make the sonne Knight.

There shall be taken of a whole Knights fee for reasonable ayde to make the sonne Knight, or to marry the daughter, but xx. s. and of xx. pound lande holden in Soccage xx. s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne Knight, vntill his sonne be xv. peeres of age, nor to marry his daughter vntill shee be of the age of vii. peeres, and thereof mencion shall bee made in the Queenes writte framed thereupon, when any man will demaunde it. And if the father chaunce to die, when hee hath leuyed such ayde of his tenaunts, befoze he hath maried his daughter, the fathers executors are bound to satisfie the daughter of so much as the father receyued for this ayd. And if the fathers goods bee not sufficient, his heire shall satisfie the daughter. West. 1. 3. Ed. 1. 35. And the same lawe is in the Kings case to make his eldest sonne Knight, or to marrie his eldest daughter, 25. Ed. 3. 11.

Ayde of the Queene.

If the Queene make a Fessement, and the deede thereof containeth so much, that another person by like deede or fessement shoulde bee bound to warranty, the Iustices shall proceede no further, except they haue commandement from the Queene. But where the Queene hath confirmed or ratified another mans deede of that thing which was another mans, or hath graunted any thing to another, as much as in her is, or where a deede is shewed soorth that the Queene hath giuen any tenement in which deede there is no clause of warrantie, and in such like cases, it shall not be surceased, but after the same is shewed to the Queene, they shall proceed without delay, Stat. de Bigamis, 4. Ed. 1. 1. & 2. See Assise, 5.

C Concerning the dowers of women, where any Gardeins of the inheritance of their husbands haue the wardships of y gift or grane of the Queene, whether the Gardeins do holde the thing in demaund, or do call the heires of the said tenements to warrantie, if they doe except that they cannot answere without the Queene, it shall not therefoze be surceased but the suit shall in due maner proceede. Stat. de Bigamis, 4. Ed. 1. 3.

3 **C**A man shall haue but foure writs of Search for the Queene, whereof euery writte shall be deliuered 40. dayes before the returne of the same. And then they which sue for the Queene, shall be put to answer and to defende the landes and tenements demanded, against the Queene as well as they can, whether any muniment or remembrance be found for the Queene or not, though the suite be in the Parliament, Chauncerie, Kings bench, or common place. And by commandement vnder the great or priue seale, no poynt of this statute shalbe delayed. 14. Ed. 3. 14.

Foure writs of search.

1 Where vpon a Trauers ii. writtes of search shalbe granted. See Trauers. 4.

Alehouse.

The Iustices of peace in euery shire, citie, towne corporate, franchise or libertie, or two of them at the least (whereof one to be of the Quorum) haue power within the limites of their commission to discharge common selling of Ale and beere in alehouses, and tipling houses, in such places where they shall thinke meete. 11. H. 7. 2. 19. H. 7. 12. 5. Ed. 6. 25.

Iustices of peace may discharge selling of ale or beere.

2 **C**If any person doe keepe any common Alehouse, or vse common selling of Ale or Beere, but such as shalbe thereunto admitted in the open sessions of the peace, or els by two Iustices of the peace (whereof one to be of the Quorum) and shall bee bounde with suretie by recognisance, against the vsing of vnlawfull games, and for the maintenance of good order (for the making of which recognisance he shall pay but xii. d.) the same shalbe committed by the Iustices or two of them (whereof one to be of the Quorum) to the common Goale, within the same Shire, Citie, Borough, &c. there to remaine without bayle or Paimprise three dayes. And before his deliuerance shall bee bound in recognisance, with two sureties that he shall not keepe any common Alehouse, or vse selling of Ale or Beere, and shall for his fine pay xx. s. and the certificat of a recognisance, & the offence at the next quarter session made by a Iustice of peace, shall be a sufficient conviction of the offence. 5. Ed. 6. 25.

The penalty of keeping ales houses without licence.

3 **C**But in such townes and places where any faires shalbe kept, it shall be lawfull for the time onely of the same faires, for euery person to vse common selling of ale or bere in booths or other places, for the reliefe of the Queenes subiectes that shall repaire to the same, in such maner as they haue vsed. 5. Ed. 6. 25. See Iustices of peace. 71.

Alehouses kept in faires.

Aliens,

Aliens, Strangers.

Aliens shall
make no cloth.

NO person not borne vnder the Queenes obeyſance nor made denizen, being artiſicer or handicrafts man, nor none other for him, or to his uſe ſhall make any cloth or put any wooll to worke, or make any cloth in this Realme, vpon paine to forſayt the ſame cloth, nor ſhall ſell any wares within this Realme but onely in groſſe and not by re-
taylor, and in the port, Towne or place, where the ſame artiſicer ſhalbe dwelling, and in none other place, vpon paine to forſaite the ſame wares to the Q. and him that will ſeiſe or ſue for the ſame by A. J. &c. wherein no W. &c. E. P. &c. 1. R. 3. 9.

Aliens ſhall ſell
no wares but
in groſſe.

Transporting
of bowes, and
uſing of ſhooting.

2 **N**O ſtranger borne, not being Denizen, ſhall conuey into any partes out of the Queenes obeyſance, without her licence, any long bowes, arrowes or ſhaftes, vpon paine of forſ. of the ſame or the value thereof and of impriſonment. Nor ſhall uſe ſhooting with long bowes within the Queenes obeyſance without her licence, vpon paine of forſ. of y bowes & arrowes wherewith he ſhalbe ſolld ſhooting. And euery of y Queenes ſubiectes may leaſe the ſame, &c. 3. 3. W. 8. 9. See Archery. 7.

Denizens ſhall
pay ſuch duties
as they did
before they
were made
Denizens.

3 **E**uery Alien made Denizen, ſhall pay to the Queene and her heires & to euery other perſon, & to all Officers of Cities, Boroughs & Townes, all ſuch Subſidies, Cuſtomes, Tolles, duties and other ſummes of money for their wares, Marchandizes and goods, as they ſhould haue payed, before they were Denizens, any grant made, or to be made, or any ſtatute &c. notwithstanding. But all officers of Cities, Boroughs and Townes, wherein any ſuch duties &c. ſhalbe demanded, ſhall ſet vp in open place of ſuch Citie, Borough or Towne, a table or tables, by which the certaintie and dutie of ſuch Cuſtome, Tolle &c. may appeare, to the intent nothing may be exacted, otherwiſe then hath bene accuſtomed. This act ſhal not be prejudiciall to the Marchants of the ſtillard in London, but they ſhall enioy ſuch priuiledges &c. as they had before the making thereof. 22. W. 8. 8.

Marchants of
the ſtillard.

Aliens within
addon of two
miles compas
be vnder the
ſearch of the
wardens of the
myſteries they
occupie.

4 **A**ll Aliens borne being Denizens, or not Denizens uſing any maner of handicraft, inhabiting within London, or y ſuburbs thereof, within Weſtminſter, the pariſh of Saint Martins in the field, the pariſh of our Ladie of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrewes in Holborne, the towne and Borough of Southwarke, Shoreditch, White Chappell pariſh, Saint Jones ſtreete, the pariſh of Clerkontwell, Saint Botolphes pariſh without Algate, Saint Katherine, Barmondſey ſtreete, or within ii. miles compaſſe of the ſayd Citie of London, or pariſhes, ſhal be vnder the ſearch and reformation of the Wardens and Fellowship of the handicrafts which they do occupie within the ſayde Citie, with one ſubſtanciall Stranger being an houſholder of the ſame craft by
the

the same Wardens to be chosen. And those Wardens and stranger shall appoint to euery Alien being a blacke Smith, Cowper, Poutch- maker or Joyner (taking nothing therfore) a marke, which he shall put vpon his worke, ware, or vessell: and if any stranger vsing the my- sterie of Smithes, Iepners or Cowpers, shall make any ware or ves- sels concerning the same mysteries, and do not put such marke to eue- ry of them, before that they be put to sale or vse, without taking any thing therfore, he shall forfeite the double value of the same wares and vessels to the D. & J. to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. But if the sayd Wardens &c. refuse to marke the wares of any Stranger requesting the same, then the Stranger may put to sale his sayd wares. 14. H. 8. 2.

Euery Alien
shal haue a
marke to set
vpon his work.

5 ¶ The Wardens of euery such mystery, calling to them one strā- ger of the same mystery, being a houtholder, haue power to searche, viewe, and reforme in London and other places aforesayd, all wares of workemanships made by handicraft men being Aliens. And if vpon such search, they shal find and adudge any vessels, or ware in the posses- sion of the workers or owners falsly and deceitfully made to the hurt of the Queenes people, then the same worker or owner in whose pos- session the same false & deceitfull wares shalbe found, shall forfeit the same to the Queene, & the first finder thereof, to be recovered in any of the Queenes Courts by action of Detinue, wherein no W. E. or P. &c. 14. H. 8. 2. And if any Stranger Artificer that is a houtholder be- ing required by the Wardens, gouernours or their deputies do refuse to go with the sayd Wardens to make search in forme aforesaid & that he proued before the Chaunceloz of England, the Maior of London, or the chiefe officer of the Citie, Borough, Towne, where &c. he shall vse his occupation no more within England. 21. H. 8. 16.

Wardens shal
search all alie
ens worke.

6 ¶ Wardens and Masters of fellowshippes of all handicraftes within any Citie, Borough or Towne corporat where Wardens be, & the Bailifes or gouernours of Townes &c. where no Wardens be, haue aucthoritie with the Bailife of the libertie, where any libertie is, being content so to do, to viewe, search and reforme strangers, inhabi- ting and vsing within any such Citie, Towne &c. any handicraft, in as ample maner as the Wardens &c. of London may do by this Act. And all strangers vsing any of the said handicraftes, in any of the sayd Ci- ties, Boroughes &c. be bound to doe and obey in euery thing according to the tenor of this Act, vpon the paines and forfeitures aboue remem- bred. But this Act doeth not extend to the inhabitant strangers in the vniuersities of Oxforde, or Cambridge, or within the Sanctuarie of great Saint Martines within London. 14. H. 8. 2.

Wardens, baile
lifes, gouern
ours may
serch aliens.

Aliens in Ox-
ford, Cambridge
great Saint
Martines,

Aliens, Strangers.

The remedie if
Aliens be mis-
reated wrong-
fully.

7 **I**f the Wardens of any fellowship &c. Bailiffs, gouernours &c. will wrongfully intreat any stranger in executing any thing cōtayned in this act, then the stranger grieved, may by bill or information complaine to the Lorde Chauncellour and Treasorer of England, or the Iustices of Assise in the Countie, which by their examinations, haue auctoritie to heare and determine the same complaint, and to warde to the complainant such amendes as by them shall be thought reasonable. 14. H. 8. 2.

Aliens shalbe
contributorie
to subsidies and
taxes.

8 **A**ll strangers Artificers made Denizens, that will inhabite within London, the Suburbes or Parishes aforesayde, or within two miles compasse of the same, and keepe houses and occupy their Craft, shalbe contributory to and with the Queenes subiects, artificers within London, paying and bearing the charges following, (that is to say) euery stranger Cordwayner, being an housholder, which worketh orde stufte or newe, shall quarterly pay to the Master Wardens and comminaltie of the sayd Craft of Cordwayners within the sayd Citie vi. d. & euery seruant stranger not being Denizen shall pay quarterly iiii. d. And all other strangers, artificers, and Denizens of euery handicraft inhabiting within London, or any other Citie or Towne within this Realme, shall pay, beare and sustaine all like charges, as the Queenes subiects of like mysterie, bozne out of her obeysance, inhabiting within the same Citie, Towne &c. do beare. And all strangers, artificers, and denizens exercising the said craft of Cordwayners, dwelling out of London, in any other Citie or town, shall pay, beare and sustaine Scot, Taxes, Tallages, Subsidies, Prests, and all other reasonable exactions, as the Masters, Wardens, & companies of the sayde Crafts for the time being, be bound to pay, when any subsidie, taxe, tallage or prest, or other reasonable charges shalbe assessed by the Maior and Aldermen or common Counsell of the sayde cities, townes &c. of, or for any charge of payments of money to be payde vnto the Queene, or for any cause concerning the common wealth of the sayd cities, townes or Artificers &c. And whosoever denieth to pay as contributory with the sayd Companies, shall not any longer occupie any handicraft, vpon paine to forfait 1. li. to the M. & A. to be recovered by A. J. &c. where in no W. &c. E. or P. &c. 21. H. 8. 16. Seeke whether he shall forfait x. li. all his goods, or the value of the thing by him solde.

Quere.

The Strangers
or he.

9 **T**he Stranger, Artificer, Denizen or not Denizen, being a housholder, which will remaine within this Realme, shall vpon lawfull notice to him giuen by the Master or Wardens of his Craft, or one of them personally present himselfe in the common Hall, or meeting place of the sayde Craft within the Citie or Towne where he doeth inhabite,

inhabite, and there shall he sworne vpon the holy Euangelistes to bee saythfull and true to the Queene and her heires, Kings or Queenes of England, and to be obedient to her and her Lawes, and to all actes, ordinaunces, and decrees made and confirmed by her and her Counsell, or by her Counsell. And that at all times when he shalbe appointed by the Wardens of the felowship &c. or their deputies, he shalbe readie to go with the said Wardens to make search. And that he shall not giue notice to any Stranger of the sayd search, vntill he with the said Wardens come together to make the same. And that he shall well, indifferently, and truely behaue himselfe, setting all affection, fauour, malice and dread of any creature, and all fraude and deceypt apart. And the othe so receiued, the sayd Stranger shall pay for his admissiō, as the Queenes subiects vse to pay, 21. H. 8. 16.

10 ¶ No Stranger artificer not being Denizen, shall see by or keepe any house, shop or chamber within London, or any other Citie, Towne, Borough or village wherein hee shall exercise any handycraft or mysterie, vpon paine to forsayte all his goodes. 21. H. 8. 16. 1. R. 3. 9.

No alien artificer not being denizen shall keepe any house or shop in England.

11 ¶ No Strangers artificers, Denizens, or other bozne out of the Queenes obeysance, shall assemble in any companie, felowship, cōgregation or conuenticle, but onely in the common hall of their crafts, with the Queenes subiectes of the same craftes, at such time as they shalbe commanded by the Master and Wardens of the said crafts, and at none other place or time or in other maner, vpon paine to forsayte all their goodes. 21. H. 8. 16. 1. R. 3. 9.

Aliens shal not assemble in cōpanies but in their halles.

12 ¶ All Aliens being in friendshippe with the Queene and the Realme, & comming within any cities or townes within the Realme, with fish or other victuals, and there tarrying and returning againe to their owne countries, shall be vnder the Queenes protection, and it shall be lawfull to euery of them to cut their fish and victuals in pieces, and by retayle, or in grosse to sell the same, 6. R. 2. 10. And if any man disturbe any alien to sell his fish in foyme aforesayd, he shall forsaite x. li. 14. H. 6. 6. S. Victuals. 2.

Aliens victuals may come into the Realme and sell their victual.

13 ¶ No person stranger being a common Baker, Buer, Surgeon or Scriuener shalbe interpreted a handicrafts man by reason of vsing any of the said sciences of baking, byuing, Surgerie or wyting. 22. H. 8. 13.

Baker, Buer, Surgeon, Scriuener, no handicraftes man.

14 ¶ All leases of any dwelling house or shoppe with in any the Queenes dominions, made to any stranger artificer or handicraftes man, bozne out of the Queenes obeysance not being denizen, shall bee voyde, And no stranger artificer or handicraftes man, bozne out of the Queenes

Leases of houses to Aliens being not Denizens.

Aliens, Strangers.

Queenes obeyſaunce not being Denizen ſhall take any leaſe of any dwelling houſe or ſhoppe, within any the Queenes dominions, upon paine to forſaite for every time doing contrary v. li. And no perſon ſhall graunt or let to farme, any dwelling houſe or ſhoppe to any ſuch ſtranger &c. not being denizen, to the intent to inhabit in the ſame upon like payne to forſayte v. li to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 16.

Aliens bounde
vnto the lawes
of this realme.

15 ¶ Every Alien borne out of the Queenes obeyſaunce not being denizen, which now be, or hereafter ſhall come in or to this Realme, or els where within the Queenes dominions, ſhall be bound by and vnto the lawes and ſtatutes of this Realme, and to all the contents of the ſame. And all ſtrangers borne out of her graces obeyſaunce, which heretofore haue bene made denizens, or that hereafter ſhall be made denizens, ſhall be bound and obedient by and vnto all the forſayd ſtatutes made 1. R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the ſame, and to all other ſtatutes heretofore made nowe being in their force, any letters patents or ordinaunces heretofore made, or hereafter to be made to the contrary &c. notwithstanding. And alſo in every letters patents of, or for the making of any denizen, to be made to any ſtranger, not being borne vnder the Queenes obeyſaunce, ſhall be contained a Prouiſo, that he to whome ſuch letters patents ſhalbe ſo granted, ſhalbe bound and obedient by and vnto all the acts and ſtatutes of this Realme, and to all and every the contents of the ſame, except it ſhalbe the Queenes pleaſure to graunt to any ſuch Alien, any ſpeciall liberties or priuiledges more or otherwiſe, then is contained in the ſaid ſtatutes. And in that caſe all ſuch libertyes and priuiledges ſo to be granted to any ſuch Alien, contrary to the forme of any of the ſayd ſtatutes, ſhall be plainely, wholly and particularly expreſſed by ſpeciall wordes, aſwell in the bill aſſigned with the Queenes hand for obtaining of any ſuch grant, as in the letters patents to be made out of the Chauncery for the ſame, 32. H. 8. 16.

Denizens
bound to obey
the ſtatutes.

A prouiſo in
patents made
to Denizens.

Statutes re-
pealed.

16 ¶ In the forſayd Statutes of 1. R. 3. 14. H. 8. & 21. H. 8. There be ſeuerall ordinaunces for the taking and keeping of apprentices, Journeyemen & ſervants by Aliens, and of Aliens, but the force of them ſeemeth to be taken away by the ſtatute made 5. Eliz. 4. which repealeth all ſtatutes beſore that time made, concerning the hiring, keeping, order &c. of Seruants, Artificers, Apprentices &c. and the penalties concerning the ſame. Sed quære.

Quære.

Triall.

Veſſell.

1 Where an Enqueſt ſhalbe, de Medietate lingue, an alien being partie, and where not, S. Iurors. 20. Attaints. 21.

2 That no Alien borne, ſhall worke veſſell made of Tynne or pewter.

pewter. S. Pewter. 8.

3 That no Alien shal take a benefice, nor that any shall occupy it *Benefice.* to his vse without the Queenes licence, S. Premunire. 2. 4.

4 That Aliens being in amitie with the Queene, may bring in *Vitallies.* victuals and sell them in grosse or by retayle. See Vitaylers, 2. Marchants. 1.

5 At what time of the yere a Marchant Alien may buy wool. S. Wool. Woolles. 6.

6 That no Alien shall force, clack, or beard wooll. S. Woolles. 8.

7 That Aliens borne, whose parents be vnder the Queenes obey- *Inheritable.* sance, be inheritable in England. S. Abilitie. 2.

8 In what case Herring may bee bought of an Alien, and in what *Herring.* not. S. Fish. 13.

9 That Aliens shall employ their money here receyued vpon the *Money.* commodities of this Realme. S. Marchants. 9. 10.

10 That gold or siluer may not bee deliuered to any alien, S. Mo- *Gold.* ney. 2.

11 What custome Aliens shall paye for salted fish or Herrings *Custome.* brought into this realme. S. Fish. 19.

Amercement.

NO Citie, Borowgh or Towne, nor no man shall be amerced but *None shall be amerced, but according to their offence.* for reasonable cause, and according to the quantitie of his offence, and a freeman sauving his freehold, a Marchant sauving his marchandise, and any other mans villeine (except the Queenes) sauving his villein Tenure, if he offend the Queene, & none of the said amercements shall be assessed, but by the othe of honest and lawfull men of the same vicinage. Magna Charta. 9. 14. 11. 1. 3. Ed. 1. 6.

2 Charles & Barons shall not be amerced, but by their Peeres, *Amerciament of Barons & spiritual persons.* and a spirituall person shall not be amerced according to his ecclesiasticall liuing, but by his ley fee, and those amerciaments shall be but according to the quantitie of their seuerall offences. Magna Charta. 9. 14.

Apparence.

If any Philozer, Exigenter, or any other officer of the Kings bench, *Entrie that he offered himselfe in proper person.* or common place, do make any entrie in any suite, that the plaintife in the same suite hath offered himselfe in his owne proper person, except the playntife in the same suite (before such entrie bee made) doe appeare in his owne proper person before some of the Iustices of the place where the plea is depending, and there be sworne vpon a booke that he is the same person, in whose name the said suite is sued, or that some other credible person of the Queenes Counsell, will take such othe

Apparell.

othe for him, the sayde Philozer &c. shall forfeite xl.s. to the Queene every time that he shall be attainted, by examination of any of the Iustices of the same place, where any such entry or recorde is, 10. H. 6. 4. 18. H. 8. 9.

Apparell.

Purpure, m^k.
Cloth of golde
of Tissue.

NO person or persons shall vse or weare in any their apparell, or vpon their Horse, Mule, or other beast, any silke of the colour of Purpure, ne any cloth of Golde of Tissue, but onely the King, the Queene, the Kings mother, the Kings children, the Kings brethren & sisters, the Kings vncles and Aunts (except Dukes and Marqueses, which may weare in their doublets and sleeueles coates onely, cloth of Golde of Tissue, not exceeding the price of v.li. the yard.) But this worde Purpure doeth not extend to any Mantell of the order of the Garter, 24. H. 8. 13.

Cloth of gold,
Silver, Tincel,
Satten, im-
boderp.

Sables.

2 **N**O man vnder the estate of an Earle, shall weare in his apparell of his bodie or vpon his horse, mule or other beast, or harneis of the same beast, any cloth of Golde or silver, or of Tincels Satten, or any other silke or cloth mixed or imbodered with gold or silver, nor any fures of Sables (except Vicounts and Barons, which may weare in their doublets and sleeueles coates, cloth of gold, silver or tincell,) 24. H. 8. 13.

Woollen cloth
made beyond
the sea.

3 **N**O man vnder the estate of a Duke, Marques, Earle, and their children, or vnder the degree of a Baron (except hee bee a knyght of the Garter,) shall weare in any part of his apparell, any woollen cloth made out of England, Irelande, Wales, Caleis, Barwicke, or the Marches of the same, (except in Bonets onely) nor shall weare in any maner of apparell of his bodie or on his Horse, Mule or other beast, or harneis of the same beast, any Crimolin, Scarlet, or blewe velvet, nor any fures of blacke Tenets or Lusernes, nor any maner of emboderp. 24. H. 8. 13.

Coloured vel-
uet, fures,
emboderp.

Coller of ss.

4 **N**O man (vnles he be a knyght) shall weare a Coller of golde, named a Coller of ss. 24. H. 8. 13.

Ornaments of
Golde.

cc. li. frehold

5 **N**O man vnder the degree of a Barons sonne, or of a knyght, (except he may dispend in landes or tenements, rents, fees, or annuities, to his owne vse for terme of his life, or for terme of another mans life, or in the right of his wife, two hundred poundes ouer all charges) shall vse or weare any Chaine of Golde, Bracelet, Duch, or other ornament of golde in his owne apparell, or on his horse &c. (except such Chayne, Jewell, Duch, or ornament bee in weight one ounce, or aboue of fine Gold, and except rings of Gold, to be worne on their fingers, with stones, or without.) Nor shall weare any Velvet in their Gownes,

Gownes, Coates with fleeces, or other bettermost garments, nor any fures of Libards, nor embroidery, pricking or printing with golde, silver, or silke in any part of their Apparell, or on their hoxles, mules, or other beastes. 24. H. 8. 13.

Veluet, fures
embroidery.

6 ¶ No man vnder the foresaid estates and degrees, other then such as may dispend clerely in landes and tenements, rents, fees, or annuities, by some estate of freeholde C. li. a yeere, shall weare any Satten, Damaske, Silke, Chamlet, or Tassita in his gowne, Coate with fleeces, or other bettermost garment, nor any Veluet but in fleueles iackets, doublets, coyfes, partlets, or purses, nor any fures whereof the like kind groweth not within England, Ireland, Wales, Caleis, Berwicke, or the Marches of the same, (except Foynes, gray Tenets, and Budge.) 24. H. 8. 13.

C. li. freeholde.

7 ¶ No man vnder the sayde degrees, other then the sonne and heire apparant of a Knight, or the sonne and heire apparant of a man which may dispend 300. Markes by the yeere ouer all charges) or a man which may dispend in landes and tenements, rents, fees, annuities, or other yeerely profit as is aforesayd, xl. li. a yeere (about all charges) shall weare in his gowne or any other his bettermost apparell, any Chamlet or silke, nor in any part of his apparell, any silke other then Satten, Damaske, Tassita, or Sarcenet in his doublets, and sarcenet, Chamlet, or Tassita in lining of his gownes, & the same or veluet in his fleueles coates, iackets, ierking, coifes, caps, purses or partlets, (the colours of Scarlet, Crimson and Blew excepted.) Nor shall weare any furre of Foynes, gray Tenets, nor any other furre whereof the like kinde groweth not within England, Ireland, Wales, Caleis, Berwicke, or the marches of the same, (except before excepted.) Nor shall weare any Aglets, Buttons, Brouches of gold or silver, gilt or counterfeit gilt, or made with any other deuise of any waight, nor shall weare any Chaine of golde of lesse waight and value then x. ounces of Troy waight of fine golde. 24. H. 8. 13.

The sonne and
heire of a
knight or of a
man which
may dispend
C. li.
xl. li. freeholde.

8 ¶ No man vnder the said degrees (other then such gentlemen which may dispende in landes &c. as is aforesaid xx. li. a yeere ouer all charges) shall weare any maner of silke in any apparell of his body or of his horse &c. except it be Satten, Tassita, Sarcenet or Damaske in his doublet or Coife, and Chamlet in his fleueles Iackets, and a lace of silke for his Bonet, or points, laces, girdles, or garters made in England or Wales, or shall weare any fures of blacke coney or Budge. 24. H. 8. 13.

xx. li. freehold.

9 ¶ No man vnder the said degrees (other then such as may dispend in landes &c. as is aforesaid v. li. a yeere about all charges,) shall

v. li. freeholde.

Apparell.

weare any cloth of the colour of Scarlet, Crimson, or Violet engrained, nor any silke in their doublets or iackets, nor any other cloth in any garment aboue the price of vi.s. viii.d. the broad yarde, nor any other thing made out of this Realme, except chamlet in their doublets, and iackets. 24. H. 8. 13.

Seruingman,
H. s. freehold.

10 ¶ No Seruingman, nor other yeoman taking wages, or such other as may not dispende xl.s. of freehold by yeere, shall weare any Cloth in his hose aboue the price of ii.s. the yarde, nor in his gowne, coate, iacket, or other garment aboue the price of iii.s. iiiii.d. the broad yarde, except it be his masters liuery, nor shall haue any hose garded or mixed with any other thing that may be seene, on, or through the better part of his hose, but with the same cloth onely. Nor shall weare any Furre, except blacke or white Lambe, or gray Cony, growing within England, Wales, or Irelande. Nor shall weare any shirt, or shirt bande, vnder or vpper cap, coiffe, bonet, or hat, garnished, mixed, made, or wrought with silke, golde, or syluer, nor any bonet or shirt bande wrought out of England, or Wales, but he may weare a silke riband for his bonet, the cognisance or badge of his lord or master, and a horne tipped or fiewed with siluer, gilt or vngilt. And all persons may weare on their bonets, all games of siluer gilt or vngilt, which they winne by wrestling, running, shooting, leaping, or casting of the barre, and masters of Shippes or other vessels, and mariners may weare whistles of siluer, and chaines to hang the same vpon. 24. H. 8. 13.

Games of Armes.

Mariners.

Husbandman.

11 ¶ No husbandman shall weare any cloth aboue the price of ii.s. the yarde in his hose, ii.s. viii.d. the broad yarde in his coate or iacket, iiiii.s. the broad yarde in his gowne, nor any other thing in his doublet then is wrought within this Realme (fustian and canuas only excepted) nor shall weare any furre in any of his apparell. 24. H. 8. 13.

Servants in
husbandrie,
Journeyman.

12 ¶ No servant in husbandrie, or Journeyman in handicraftes taking wages, shall weare any cloth aboue the price of xvi.d. the yarde in his hose, of ii.s. viii.d. the broad yarde in his gowne, iacket, or coate, nor in his doublet any other thing then fustian, canuas, leather, or wollen cloth, nor shall weare any furre in any of his apparell. 24. H. 8. 13.

The Clergie.

13 ¶ None of the Clergy vnder the dignitie of a Bishoppe, shall weare in any part of their apparell of their bodies or on their horses, any stuffe wrought out of Englande, Ireland, Wales, Calceis, Berwicke or the marches of the same, except that it shall be lawfull to all Archdeacons, Deans, Priouosts, Masters, and wardens of Cathedral & Collegiat Churches, Prebendaries, Doctors, or Bachelers in Diuinitie, Doctors of the one law or the other, and Doctor of other sciences, which haue taken that degree, or be admitted in any Vniuersitie,

to weare Sarcenet in the lining of their gownes, blacke Satten or blacke chamlet in their doublets, & sleeueles coates, and blacke veluet, or blacke Sarcenet, or blacke Satten in their Tippetts and ryding hoodes, or girdels. And also cloth of the colours of Scarlet, murrey or violet, and furies called gray, blacke budge, fopnes, shanks or minuer, in their gownes and sleeueles coates, 24. H. 8. 13.

14 ¶ None of þe Clergie vnder the degrees aforesayd, shall weare The Clergie, any maner of furies, other then blacke Cony, gray Cony, Budge, Shanks, Calaber, Gray, Fich, Fore, Lambe, Otter, & Beuer. Nor any sarcenet or other silke in their Tippetts, except he bee a Master of art, a Bachelor of the one Lawe or other, admitted in any University, or such other of the sayde Clergie, as may dispense perely xx. li. aboue all charges, 24. H. 8. 13.

15 ¶ If any man vse or weare any apparell, or other the premisses The forsaithurs contrary to the tenor and forme aforesayde, then he shal forfait þe same so by him vsed or woyn vpon his person, horse, mule, or other beast, or the value thereof, and also iii. s. iiii. d. in the name of a fine for euery day that he shall so weare the same, to the Queene & I. &c. And euery man that will, may lawfully sue for the same by accion of Detinue, to be commenced within xv. dayes next after þe beginning of þe terme next ensuing such cause of forfe. wherin no W. &c. E. or P. &c. 24. H. 8. 13.

16 ¶ All such officers and seruants waiting or attending vpon the Queene daily, perely or quarterly in her housholde, or being in her Eschequer rolle, as shall bee admitted, assigned, & licenced by her grace to vse or weare any maner apparell on their bodies, horses &c. (otherwise then is before expressed) shall lawfully do the same, according to the licence giuen vnto them in that behalfe, þe same licence to be declared in witing by the Queene, or the Lord Steward of her housholde, or the Lord Chamberlaine, knowing the Queenes pleasure in the same. And the Lord Chancellor, the Lord Treasorer, the President of the Queenes Counsell, and the Lord priuy seale for the time being, of what estate or degree soeuer they be, besides those roomes, may weare in their apparell, Veluet, Satten, and other silkes of any colours (except Purpure) and any maner of Furies (except blacke Tenets.) And this act shal not extende nor be prejudiciall to any of the Queenes counsell, ne to Iustices of the one Benche or the other, the Barons of the Eschequer, the master of the Rolles, Seriants at lawe, the Masters of the Chauncerie, Apprentices of the lawe, þe Quernes Physicians, Maiors, Recorders, Aldermen, Sherifes, Bailifes elect, and all other head officers of Cities, Townes, and Borowghes corporate, wardens of Occupations, the Barons of the v. Portes, that is to say, to all the

D.ii.

sayde

Certaine persons excepted and permitted to weare apparell, to others forbidden.

Apparell.

Layde officers, and persons that nowe bee, or heretofore haue bene in like roome, place, office, or authoritie, or hereafter for the time shalbe, aswell in the time, as after that they haue bene in any such place, office, roome, or authoritie, but that they shall at all times weare all such apparell in and vpon their bodie, horses, &c. And also Citizens and Burgeses, shall nowe weare such hoodes of cloth and of such colours, as they haue heretofore vsed to weare (except that it shall not bee lawfull to any of them to weare Veluet, Damaske or Satten of the colours of Crimson, Violet, Purpure, or Blewe, otherwise then by the content of this act in any of the clauses before mencioned, is by reason of their landes, or ootherwise permitted, limitted or assigned.) He shall extend to Ambassadors or other personages sent from outward Princes, or to noble men, or other comming into y^e Queenes Realme, or other part of her obeisance, to visite, see, or salute her Grace, or to see the countrey, and not minded to make long or continuall demurre in the same. He to any Henschman, Heraulde, or pursuant at Armes, Pinstrels, Players in Enterludes, Sights, Reuels, Iustes, Turneis, Barriers, solennine Matches, or other Partiall feates or disguising, or to men of Warre, being in the Queenes wages of warre. Nor to any man for wearing any apparell giuen vnto him by the Queene, nor to any Swordbearer of any Citie, Borough or Towne corporat. Nor shall extend to any Utterbarrester of any of the Innes of Court, for wearing in any of his Apparell such Silke and Furre, as is before limitted, for men that may dispende in land, rentes &c. for terme of life xx.li. ouer all charges. Nor to any oother Student of the Innes of the Court or Chauncery, nor to any Gentleman being seruant to any Lorde, Knight, Esquire or Gentleman of this Realme, whose Master may dispende xl.li. ouer all charges, for wearing by such Student or Gentleman being seruant, of doublets and partlets of Satten, Damaske, or Chamlet, or Jackets of Chamlet, which be giuen vnto them, by any of their parents, masters or kinsfolkes, (so alwayes y^e they be not of y^e the colours of Crimson, Purpure, Scarlet, or blew) or for wearing of any furies, whereof the like groweth within this Realme, Wales or Irelande (Partins and blacke Cony except.) Nor shalbe preiudiciall to any Spirituall or Temporal person, for y^e wearing any ornaments of y^e Church, vsed for executing diuine Seruice, or for wearing their Amices, Pantels, Habites or garments of Religion, or other thinges, which they bee vsed or bound vnto, by their roomes, promotions or Religions. He to any Graduates, Beadles or ministers to the Graduates in Uniuersities & Scholes, for wearing of their habites or hoodes with furies,

furres, linings or otherwise, after such forme as heretofore they haue bene accustomed to do. No to any person for wearing of any linnen cloth made or wrought out of the Queenes obeisance. No to any person being of the degree of a Gentleman, for wearing of any Shirt made, wrought, or embroidered with threede and Silke onely, so the same worke or embzoderie be made within this Realme of England, Wales, Calceis, Berwicke, or the Marches. 24. H. 8. 13.

17 ¶ No person borne within this Realme or the dominions of the same, shall weare any maner of silke in or vpon his Hat, Bonet, Night cap, Girdle, Scabard, Wole, Shoes, or Spurre lethers, vpon paine of iii. Moneths imprisonment, and forfaiture of x li. for euery dayes wearing, except he be the sonne and heire of a Knight, or of or aboute the degree of a Knightes sonne or daughter, or wife to any of them, or may dispende xx. pound by the yeere, in lands, offices, fees, or other yeerely reuenues for the terme of life, or be worth in goodes two hundred pound. And except them which haue bene, be, or shall be Mayor, Bailife, Alderman or head Officer, in any City, Borough, or Towne corporate, and their wiues; and the Queenes seruants in ordinary wages attendant and wearing the Queenes ordinarie linneries, and women which may weare in their Cappes, Hattes, Girdles, and hoodes, as they might vse and weare lawfully before the making of this act. 1. and 2. H. 8. 13.

These onely be allowed to weare silke.

18 ¶ If any person knowing his seruant to offende contrary to this statute, do not put him forth of his seruice within xiiii. dayes next after such knowledge had (except he be his Wrentise or hired seruant, which he may keepe to the end of his terme) or els being put forth of his seruice doe retaine him againe within one yeere next after the offence, he shall forfait for euery such offence C. li. to the Queene and In. to be recouered by A. J. &c. wherein no W. &c. E. or P. &c. 1. and 2. H. 8. 13.

The Master shall put his seruant offending, forth of seruice.

1 Where the wiues apparell doeth enforce the husband to keepe any horse or armour. S. Armour. 3. Horses. 17.

2 Who may weare any veluet Cap, or veluet hatte, and who not. S. Hattes. 5.

Appeales and Prouocations.

¶ In such cases where heretofore any of the Queenes subiects or retainants haue vsed to pursue, prouoke, or procure any appeale to the Sea of Rome, and in all other cases of Appeales, in or for any causes testamentarie, causes of Patrimonie, and diuorces, rights of Witches, oblations and obventions, they may and shall take, haue and vse their appeales within this Realme and not els where: in maner

Appeals frō the Archdeacon or his Officiall.

Appeales and Prouocations.

and forme ensuing, and not otherwise, that is to say, first from the Archdeacon of his officiall, if the matter or cause be there begunne, to the Bishop Diocesan of the sayd Sea, if in case any of the parties be greued. 24. H. 8. 12.

Appeales from
the Bishop or
his Commis-
sarie.

2 ¶ And if it be commenced before the Bishop Diocesan or his commissarie, from the Bishop Diocesan, or his Commisarie, within xv. dayes next ensuing the iudgement or sentence thereof there giuen, to the Archbishop of the Province of Canterburie, if it be within his Province. And if it be within the Province of Yorke, then to the Archbishop of Yorke, and so likewise to all other Archbishops in other the Queenes Dominions, as the case by order of Justice shall require, and there to be definitiuelly and finally decreed and adiudged according to Justice, without any other appellation or prouocation to any other person or persons, court or courts. 24. H. 8. 12.

Appeales fro
p Archdeacon
of an Archbis-
hop.

3 ¶ And if the matter or contention, for any of the causes aforesaid, be or shall be commenced by any of the Queenes subiects or resiants, before the Archdeacon of any Archbishoppe or his Commissary, then the partie greued shall or may take his Appeale within xv. dayes next after Sentence there giuen to the Court of the Arches or Audience of the same Archbishop, and from the sayd Court of the Arches or Audience within xv. dayes then next ensuing, after iudgement or Sentence there giuen, to the Archbishop of the same Province, there to be definitiuelly and finally determined, without any other proces or appeale thereupon to be had or sued. 24. H. 8. 12.

Causes com-
menced before
an Archbishop

4 ¶ Every matter, cause and contention that shall be commenced by any of the Queenes subiectes or resiants, for any of the causes aforesaide, before any of the said Archbishops, shall be before the same Archbishop definitiuelly determined, decreed, or adiudged, without any other Appeale, Prouocation or foraine Proces out of this Realme, to be sued to the let, or derogation of the sayd iudgement &c. other wise then is by this act limited and appointed. Saving alwayes the prerogatiue of the Archbishop and Church of Canterbury in all the foresaid cases of appeales to him, and his successors, to be sued within this Realme, in such wise as they haue bene accustomed to haue heretofore. 24. H. 8. 12.

The preroga-
tiue of the
Archbishop of
Canterburie.

Appeales fro
the Archbis-
hops Court
into the Chan-
cerie.

5 ¶ For lacke of Justice at or in any the courtes of the Archbishops of this Realme, or in any the Queenes dominions, it shall be lawfull to the parties greued, to appeale to the Queenes Maie-
stie in her Court of Chauncery, and vpon euery such appeale, a com-
mission shall be directed vnder the great seale to such persons as shall
be named by the Queenes highnesse, her heires or successors (like as
in

In case of appeale from the Admirals court) to heare and definitiue-ly determine such appeales, and the causes concerning the same, which Commissioners shall haue full power to heare, and definitiue-ly determine euery such appeale with the causes and all circumstaunces concerning the same. And such Iudgement and sentence as the saide Commissioners shall make and decree in and vpon any such appeale, shall be good and effectual and also definitiue, and no further appeales shall bee had or made from the sayde Commissioners for the same. An. 25. H. 8. 19. 1. Eliz. 1.

6 ¶ And in case any cause, matter or contencion, for the causes before rehearsed, or any of them shall come in contencion for any of the same causes, in any of the foresaid Courtes, which hath, doth, shall or may touch the Queer heires or successours, Kinges or Queenes of this realme, then the partie griued shall or may appeale from any of the sayd Courtes of this realme, where the sayd matter shall happen to bee ventilat, commenced or begun, to the spirituall Prelates of the vpper house assembled by the Queenes writ in the conuocation being, or next ensuing, within the Province or Provinces, where the same matter of contencion shall be begun, so that euery such appeale be taken by the partie griued, within xv. dayes next after the iudgement or sentence thereupon giuen. And whatsoever shal bee done, affirmed, determined, decreed and adiudged by the foresayde Prelates of the vpper house of the said conuocation, concerning or belonging to the Queene, her heires and successours in any of the foresayde causes of appeales, shall stand and bee taken for a final sentence, iudgement and determination, and the same matter so determined neuer after shall come in question and debate to bee examined in any other Court. 24. H. 8. 12.

Appeales in causes touching the Queene.

7 ¶ If it shall happen any person to pursue or prouoke any appeale contrary to the effect of this act, or refuse to obey, execute and obserue all things comprised within the same, concerning the said appeales, prouocations and other foireine proces to bee sued out of this realme, for any the causes aforesaide, then hee, his procurours, fautors, aduocates, counsellors and abettours, & euery of them shall incurre into the penalties ordeined in the statute of Premunire made 16. R. 2. and with like proces to be made against the saide offendours as in the same statute appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. Eliz. 1. S. 25. H. 8. 19.

Punishment of the offendours

S. Premunire 16. 5.

that if any person prouoke or sue any maner of appeales of what nature or condition soener they be, to the Bishoppe or Sea of Rome, or doe procure or execute any Proces from the sea of Rome, or by authoritie thereof, to the derogation or let of the due execution

Appeales of felony.

of the foresaide statute, then he, his counsellours &c. shall incurre into the penalties ordeined in the statute of Premunire, made 16. Rich. 2. But by the statute of 13. Eliz. 2. & getting of any Bul, writing or instrument whatsoeuer from Rome, containing any matter or cause whatsoeuer, is high treason. See Rome, 2.

Appeales in
ciuill and ma-
rine causes.

8 ¶ Every such iudgement & sentence definitiue as shall be giuen, or pronounced in any ciuile or marine cause, vpon appeale lawfully to be made therein, to the Q. in her court of Chauncery by such commissioners or delegates as shall bee appointed by her Maiestie, her heires or successors by commission vnder the halfe seale, as it hath bene vsed in such cases, shalbe finall, and no further appeale shalbe had or made from the said iudgement or sentence definitiue, or from the said commissioners or delegates, for, or in the same. 8. El. 5.

1 ¶ That euery Ecclesiasticall iudge shall adiudge costes to the other party vpon appeale made in any suit for subtraction of tythes or offerings, S. Tythes, 21.

Appeales of felony.

In what plas-
ces appeales
shalbe pursued

AL Appeales of thinges committed within the Realme shall bee tryed and determined by the Lawes of the Realme: And of thinges committed out of the Realme, before the Constable and Marshall of England. And no appeale shall be pursued in the parliament, 1. H. 4. 14. But all Treasons, and misprision of Treason committed out of this Realme, shalbe tryed in the kings Bench or in such Countie of this Realme as the Queene by Commission shall assigne. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Treason. 10.

The declarati-
on in appeale
of murder.
Within what
tyme an appeal
of murder shal
be comenced.

2 ¶ If the Appellant in appeale doe declare the deede, the peere, the day, the houre, the time of the King, and the Towne where the deede was done, & with what weapon hee was slaine, the appeale shall stand in effect, & the appeale shall not bee abated for default of Freshe suite, where a man doeth sue within the peere and the day after the deede. Glo. 6. Ed. 1. 9.

Exigent in ap-
peale against
the principall
& accessorie,

3 ¶ No person shalbe outlawed for appeale of commaundement, force, ayde, or receipt, vntill the Principall bee attained by Actary, or in other maner. But the appelloz shall not letto attach his appeale at the next County, aswell against the Accessorie as against the Principall. But the Exigent against the Accessorie shall stay, vntill the Principall bee attained by Actary or otherwise. Westm. 1. 3. Ed. 1. 14. And if any be appelled of an Act done as principall, they that bee appelled as accessories shalbe attached, and surely kept, vntill the Principall be attained. Officiu Coronatoris, 3. Ed. 1.

4 ¶ None

4 None shall bee taken or imprisoned by the appeale of any woman for the death of any other then of her husband, Magna Charta, 9. H. 3. 34.

appeale of a woman.

5 When any appelled of Felonie doeth acquite himselfe in the Queenes Court in due maner, at the suite of the appellant, or the D. the Iustices before whome the appeale shalbe heard and determined, shal punish the Appellant by a yerres imprisonment, and neuertheless such Appellant shall yelde to the Appellee dammages by the Iustices discretion, hauing respect to the imprisonment or arrest that the partie hath sustayned by reason of such appell, & to the slander which he hath receyued, and also hee shall paye a grievous amercement to the Queene. And if the Appelloz be not sufficient to answer damages, enquirie shalbe made by whose abbetment the Appel was maliciously commenced, if the appellee desire it. And if it bee founde by the same Inquest, that any man is abbettour through malice, hee shalbe distrained by a Iudiciall writte at the appellees suite, to appeare before the Iustices, and if he be lawfully convicted of such abbetment by malice, he shalbe imprisoned and restore dammages, as is aforesayde of the Appellant. Westm. 2. 13. Ed. 1. 12. And any person indicted or appealed of felonie or Treason in a forreine Countie, shall in an Action upon the case, recover treble dammages against every procurer of such indictment or appeale, after hee is duly acquitted by Verdict, and like proces shall bee in the same as in an action of Trespasse, Vi & Armis. 8. H. 6. 10. See Coroners. 7. 8.

The appelles being acquitted the appellant and abbettoz shalbe punished.

Procure of appeale in a forreine Countie.

1. Within what time & before whom an appell of murder shall be commenced. S. Murder. 4.

2 How the defendancie in appell of Maime shalbe vsed. S. Coroners. 8.

3 That appell of murder may bee commenced in one Countie of the death of any person stricken or poysoned in an other Countie. S. Triall. 1.

4 In what case appell of murder may bee commenced against a man arraigned at the Queenes suite. S. Murder. 3.

5 Appell against any person dwelling in a forreine Countie. See Indictments. 3. Triall. 1.

Approuors.

W hoseuer shall bee appealed by any approuors remainyng in the gaules, which the Iustices of gaule deliuerie shall deliuer, in what place soeuer of the realme the persons appealed shal remaine, immediatly the Sheriffe of that Countie where such persons appealed be conuersant or may be founde, shal be commaunded by the Queenes writtes

Appeales by approuors.

Approuors. Approuements.

writtes vnder the testimonie of the same Iustices, that hee shall take those persons appealed, & conuey them to the gaole where the approuors by whose appel they be apprehended, bee imprisoned, & the Sheriffe or Bail of that prison shall receiue them, and there they shal answere before the same Iustices. And if they put themselves vpon the countrey, the Iustices shall send by a Iudiciall writ to the Sheriffe of the Countie where the felony was committed, that he shall returne an enquest before them at the place where the approuors doe remayne, Stat. de Appellatis. 28. Ed. 1.

1 That it is felony for a Gayler to cause a prisoner to become an approuer. S. Prisoners. 9. Felony. 17.

Approuements.

Lords may approue against their tenants.

The Lordes of wastes, woods and pastures (which haue enfeofed their freeholders of small tenements within their great manors) may approue of the same wastes, woods & pastures, notwithstanding the contradiction of their tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. D. 3. 4.

Lords may approue against their neighbours.

2 **T**he foresayde statute provided betwixt the Lord and his tenants, shall take place betwixt the lordes of wastes, woods & pastures, and their neighbours, so that the Lordes leauing sufficient pasture to their men & neighbours, may approue the residue. And this shalbe obserued of them which claime pasture pertaining to their freehold. But if a man claime common of pasture by a speciall feoffement or graunt for a certaine number of cattell, or by any other meanes, then by common right (seeing couenant doth abrogate Law) hee shall recouer his owne according to the graunt. T. 2. 13. Ed. 1. 46.

Common in grosse.

Approuement leauing sufficient common and passage.

3 **A**nd if such tenants or neighbours do bring an Assise of common of pasture, if it bee founde before the Iustices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenements vnto their sayde pasture, they shall hold themselves contented, and their lordes of whom they complayned shalbe quiet and make their commoditie of the residue. But if it be founde that their ingresse and regresse were any thing hindered by the Deforceours, or that they had not sufficient pasture, then they shall recouer their seison by viewe of the Iuroys, so that by their discretion, and othe, they shal haue sufficient pasture, ingresse and regresse, and the disseisors shalbe amerced, and render damages, 20. D. 3. 4. 13. Ed. 1. 46.

A Windmill, sheepehouse, court, Dairie &c. may be approued.

4 **B**y occasion of a Windmill, sheepe house, Dairie, augmentation of a necessary Court, or Curtilage, no man shall be grieved by

Assise

Assise of common pasture. Westm. 2. 13. Ed. 1. 46.

5 **C** All such person and persons which shall bring assise vpon any branch or article of any of the foresaide statutes, & haue iudgement to recoiter, shall haue his or their damages trebled by the iudgement of the Court, where such assise and iudgement shalbe had. 3. Ed. 6. 4.

Treble damages.

6 **C** If a Ditch or hedge (made by any person that hath authoritie to approue,) be in the night or otherwise priuily throwne downe, and it can not be knownen by the verdict of the assise or Jury who did it, nor the inhabitants of the next townes will accuse them that be guiltie, the Townes next thereabout adioyning shalbe distrayned to leuie the hedge or Dicche at their owne charges, and also to render damage.

Ditch or hedge of ground approued throwne downe.

Westm. 2. 13. Ed. 1. 46.

7 **C** The foresayde two statutes made 20. H. 3. & 13. Ed. 1. nor any thing in any of them conceyned, shall extend to any houses with ground builded vpon commons or waste grounds (before 4. Nouem. An. 1549.) with grounde vnder the quantitie of thre acres and not a boue, inclosed to and with the same. Nor to any Garden, Orchard, or pond inclosed before the sayd day, out of, or in such wastes or groundes which exceede not the quantitie of two acres, Nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the sayd day buylded vpon any such waste ground, and that there be aboue thre acres inclosed to the same, then the sayde house and thre acres parcell of the same inclosure shall still continue, and the ouerplus of the sayde thre acres shall and may be layde open by the owner of the same wastes. 3. Ed. 6. 3.

Houses with groundes vnder thre acres. Gardens, Orchards, ponds.

Archerie.

Every man being the Queenes subiect not lame, decrepit, maymed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of lx. yerres (except spirituall men, Iustices of the one bench and of the other, Iustices of assise, and Barons of the Eschequer) shall exercise shooting in long bowes, and also haue a bow and Arrowes continually in his house, to vse, and doe vse himselfe in shooting, & euery father, ruler & gouernor, shall bring vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

All men within lx. yerres of age shall shoote.

2 **C** If any man suffer any man child being his sonne or man servant taking wages, betwixt the age of vii. yerres, & xvii. to remaine in his house without a bowe & two arrowes, by the space of one moneth together, then the Master or father shall forfait for euery default vi. s. viii. d. If the said seruant take wages, the master may buy the sayd bow and arrowes and abate him of his wages. 33. H. 8. 9.

Men children betwixt vii. yerres and xvii.

Archerie.

When betwixt
xviii & lx. yerres
of age.

3 **I**f any seruant taking wages, and able to shoote, being betwixt the age of seuentene yerres and thre score, lacke a Bowe and foure Arrowes by the space of one moneth together, he shall forfait for euery such default vi.s.viii.d. 33. H. 8. 9.

Shooting at
towers.

4 **I**f any vnder the age of xxiii. yerres shall shoot at any standing picke, except it be at a rouer (whereat he shall change his marke euery shoote) he shall forfait for euery shoote doing the contrary, iiii.d. 33. H. 8. 9.

Shooting in
touning shafts.

5 **I**f any aboue the age of xxiii. yerres do shoote at any marke of xi. score yardes or vnder, with any pickethaft, or flight, he shall forfait for euery shoote vi.s.viii.d. 33. H. 8. 9.

Aliens shal not
conuey bowes
or shaftes be-
yond the Sea.

6 **N**o stranger borne out of the Queenes obeyfance not being Denizen, shall conuey or do to be conueyed, giue, sell, or exchange into any partes out of the Queenes obeyfance any long Bowes, Arrowes or shaftes, without the Queenes speciall licence, vpon payne of forfaiture of the same, wheresoeuer they shall be taken, or the value thereof within the Queenes power, and vpon payne of imprisonment without baile or mainprise, untill such time he so being in warde, haue made a reasonable fine to the Queene for his offence before the Iustices of peace, or two of them in their Sessions in the same Countie where he shalbe committed to warde, or finde sufficient suertie for the payment of the same fine. 33. H. 8. 9.

No alien shall
use shooting.

7 **N**o person not being borne within the Queenes obeyfance not made Denizen, shall vse within the Queenes obeyfance shooting with long Bowes without the Queenes licence, vpon payne of forfaiture of such bowes, arrowes & shafts, as they shalbe founde so shooting with. And euery of the Queenes subiects haue authoritie to take and seise the same forfaitures to his owne vse. 33. H. 8. 9.

Bowyers and
Fletcheres of
London being
commanded
shall dwell els-
ewhere.

8 **I**f any Bowyer, Fletcher, Stringer, or Arrowheadmaker repairing to the citie or suburbs of London, and there making his dwelling and abiding, being not a free man of the sayde Citie, neither bearing scot nor lot within the same Citie, shall refuse to depart from the sayd Citie, suburbs, streetes, lanes, and places neere the same, to goe & inhabit such other citie, borough or towne of the realme of England as is destitute of such artificers, and there to exercise his craft and facultie for the maintenance of artillery, whensoever warning shalbe to him given by the Queenes honorable Counsell, the Lord Chancelloz of England, the Lord Treasorer, Lord Priuie seale, or one of them, then he so refusing shall forfait for euery day that he shall make his abode contrary, xl.s. 33. H. 8. 9.

Horses

Armour.

Horses or geldings, Demilaunces with Armour for them, where of the one halfe shall be Horses at the least with furniture.	Lyght Horses with their furniture of harneis & weapon.	Corselets furnished.	Almaine Pyquets Plate Coates Erigandins or Corselets furnished.	Pykes.	Long Bowes.	Sheafs of Ar- rows.	Steele Cappes or Seals.	Black Billes or Halberds.	Harquebuts.	Mori-ans or Sallets.
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Every person that shall hereafter be of inheritance or freehold in landes &c.

1000. li. 6.	10	40	40	40	30	30	30	20	20	20
1000. marks 4.	6	30	30	30	20	20	20	10	10	10
400. li. 2.	4	20	20	20	15	15	15		6	6
200. li. 1.	2	10	10	10	8	8	8		3	3
100. li.	2	3	3	3	3	3	3		2	2
100. marks	1	2	2	2	2	2	2		1	1
40. li.		2	2	2	1	1	1		2	2
20. li.		1		1	1	1	1		1	1
10. li.			1		1	1	1		1	1
5. li.			1		1	1	1	1		

Goodes.

1000. mar.										
1. or 18. Corselets furnished.	1	2	2	2	4	4	4		3	3
400. li. 1. or 9 corselet.	1	1	2	1	2	2	2		1	
200. li.		1	2	1	2	2	2		1	1
100. li.		1	1	1	2	2	2			
40. li.			2		1	1	1	1		
20. li.			1		2	2	2	1		
10. li.					1	1	1	1		

Penalties forfeited for not having in 3. moneths, to the Queene and Informers &c.

10. li. the Horse.	10. li. the gelding.	10. li. the furniture.	10. li. the Demilaunce.	10. li. the furniture.	10. li. the furniture.	10. li. the furniture.	10. li. the furniture.	10. li. the furniture.	10. li. the furniture.	10. li. the furniture.
3. li.	3. li.	3. li.	3. li.	3. li.	3. li.	3. li.	3. li.	3. li.	3. li.	3. li.
40. s.	40. s.	40. s.	40. s.	40. s.	40. s.	40. s.	40. s.	40. s.	40. s.	40. s.

4. & 5. & 6. & 7. & 8. & 9. & 10. & 11. & 12. & 13. & 14. & 15. & 16. & 17. & 18. & 19. & 20.

Annu.

Armour.

Annuities,
fees, coppes
holdes, howe
farre charged.

Annuities, fees, or copiholdes of estate of inheritance or for life, vnder xxx.li. shall not bee charged, and being aboue xxx.li. shall bee charged according to the rate of goods. But no man shall bee charged both for his landes and also for his goods, Annuities, &c. 4. and 5. P. and P. 2.

Armour by
reason of the
wines appar-
reil.

2 **E**uery person temporall (being of full age, and not in warde, whose landes amount to the peerely value of £.li.) shall keepe a gelding meete for a light horseman, with sufficient harnesse and weapon for the same, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Peticoate of silke, or any Vcluet in her Kirtle or in the lining or other part of her Gowne, (other then in the Cuffes or pursles) or any French Hoode, or Bonet of Vcluet, with any Abiliment, Paste, or edge of golde, pearle or stone, or any chayne of golde about her necke, or in her partlet, or any other her apparell, (except hee bee charged by any other braunch of this statute to keepe any horse, or gelding in such maner as euery temporall person hauing landes &c. of the peerely value of £. markes, is by this act charged to maintaine.) 33. P. 8. 5. 4. and 5. P. & P. 2. See Horses, 11.

With what
Armour
townes shall
be charged.

3 **T**he inhabitantes of euery Citie, Borough, Towne, parish and hamlet within this Realme (other then such as before are specially charged) shall keepe, haue and maintaine at their common charges, such harnesse and weapon, and in such place as shall be appointed by the Queenes commissioners for the musters or viewe of Armour within such Citie, Borough, Towne &c. which commissions the Lord Chancelloz hath power from time to time to graunt to as many Iustices of peace of the same Countie as he shall thinke good (the number and kinds wherof being writtten in a paire of Indentures, made betweene the commissioners or two of them and iiii. at the least of the chiefe of euery such citie, towne, parish &c. one part shal remaine with the chiefe officer of the same Citie, towne &c. & the other with the clarke of the peace of the shire where such citie, towne &c. shall stand or bee.) And if the inhabitants of euery such citie, towne &c. other then such as are specially charged, shall want such harnesse or weapn or any part thereof vnto them appointed &c. by the space of iii. moneths together after any such appointment made, then they shall for. for euery iii. moneths lacking after the rate aboue limited, to the Q. & I. to bee recovered by A. I. &c. wherein no W. &c. £. or P. &c. 4. & 5. P. & P. 2.

If the def. do
plead that the
furniture can
not be gotten.

4 **I**f any person aforesaide, being impeached for any forfeiture, for not hauing or keeping such furniture of Coxsellets, pykes, harquebuts, or murrians as is aboue limited, doeth pleade that the same furniture

furniture coulde not be prouided for want of the same within this realme, the same matter of want and lacke shalbe allowed a good and sufficient answer and barre in the lawe, if it be true: but if it be denied or trauersed, thereupon an ysue shall be ioyned and tryed onely by the certificate of the Lordes chauncelloz, Treasorer, President of the counsell, steward of the Queenes household, priue seale, Admiral, and the Lord Chamberlaine of the Queenes household, or thre of them in writing vnder their seales &c. 4. & 5. P. & M. 2.

5 ¶ If it shall fortune the furniture of Armour aforesayd or any part thereof to be lost or spent in any seruice of defence of this realme, or els the hoxses or geldings aforesayd to be killed or destroyed, or by some other occasion to be dead, then no person shall be charged with any forfaiture aforesayd, for not hauing such quantitie or number of Armour, hoxses or geldings as is aforesayd, so that he within one yere next after such losse doe supplie the same againe in all poyntes according to the true meaning of this Act. But the want of any gauntlet or gaunclets shall not be accompted for any lacke of furniture for a Cozlet. 4. & 5. P. & M. 2.

If the armoure
or hoxse be lost
in seruice.

The want of
agauntlet.

6 ¶ This Act shall not charge any person abyding within the Countie of Northwales, or Southwales, the Countie Palentine of Lancaster, or Chester, with the finding of any harquebut, But euery of them may keepe in steade thereof one long Bowe and one sheafe of Arrowes, besides such other armour and munition as is by the lawes of this Realme appoynted. 4. & 5. P. & M. 2.

Inhabitants
in Wales, the
keithure, Cye-
shire.

7 ¶ If any person shalbe conuicted by vertue of this Act for any default mencioned in this Act, he shall not escones be troubled for the same. And no person shall be impeched for any offence done contrary to this Act, vnlesse presentment or suite thereof be made within one yere next after the offence done. 4. & 5. P. & M. 2.

No man shall
be twice trou-
bled for one of-
fence, but shall
be presented
within the
yere.

8 ¶ This Act shall not discharge any tenant or farmer of his seruice or couenant toward his Lord, for the finding of hoxse, Armour, or weapon, or for doing of seruice by himselfe, or any other, which by the tenure of his lande or farme he is bounde to doe, at the time of the making of this Act. 4. & 5. P. & M. 2.

It doeth not
discharge or
ther mens ser-
uice.

9 ¶ No person resiant within Wales or the lordships marchers, shall bring to any Sessions, Towne, Church, Faire or market (except it be vpon a huy or outcry of felonie or robbery) any weapon, Priue coate, or Armour defensiu, vpon payne of forf. of the same, and of imprisonment, and fine at the discretion of the Commissioners of the marches, except it be by the commandement, licence or assent of some officer &c. 26. P. 8. 6.

No weapons
or armour car-
ried in Wales
to any assem-
bly.

Armour. Arrowheads. Arrestes.

**No man shall
come armed
before the Ju-
stices, nor goe
or ride armed.**

10 ¶ No man shall come before the Queenes Justices or other officers in doing their offices, with force and Armes, nor shall bring any force in affray of the peace, nor shall goe or ride armed by day or by night, nor weare sallet, scull of Iron, or other armour, vpon payne to forfeite to the Queene his armour, & his body to be imprisoned at the Queenes pleasure, except the Queenes seruants in her presence, and her officers in doing her precepts or their offices, or such as be in their company assisting them, or vpon a crie made for armes to keepe the peace in such places where such things happen. And the Queenes Justices in their presence, Sherifes and other Officers of the Queene within their Bailiwicks, lords of Franchises and their Bailifes thereof, and Maiors and Bailifes of Cities and boroughs within the same Cities & Boroughes, and Boroughholders, Constables and Gardeins of the peace within their Wardes, haue power to put this statute of 2. Ed. 3. in execution, And the Justices assigned, at their comming into the Countrey, haue power to inquire howe such officers and lords haue vsed their offices in this case, and to punish those which they finde haue not done that which belongeth to their offices. 2. Ed. 3. 3. Northhampte. 7. R. 2. 13. 20. R. 2. 1.

**No seruant
shall weare any
sword, dagger,
or.**

11 ¶ No seruant in husbandrie, or labourer, nor seruant of Artificer or vitailer, shall beare any Buckler, Dagger, or Sworde, vpon paine of forfeiture the same (except it be for the defence of the Realme in time of warre, or in traueiling with their masters, or on their masters busines) 12. R. 2. 6.

1 The remedy for the owner where a Souldier doth make away his Horse or Armour, S. Capitaines. 1. 2.

Arrowheads.

**Arrowheads
marked, by the
law.**

Every arrowhead and quarell, shall be marked with the marke of him that made the same, And if any that do make them, do not well hople or hase and harden them at the poynt with Steele, he shall forfeite the same to the Queene, and shall be imprisoned and make fine at the Queenes pleasure. 7. H. 4. 7. S. Corporations. 10. Justices of peace. 55.

Arrestes.

**Arresting mi-
nisters doing
diuine seruice.**

If any of the Queenes officers or other person doe arrest any minister which is doing any diuine seruice in the Church, Churchyard, or other place to that vse appointed, he shall be imprisoned and punished at the Queenes pleasure, & further shall recōpence the partie arrested. But no ministers of the Church shall keepe them within the Church or Sanctuarie by fraude or Collusion. 50. Ed. 3. 5. 1. R. 2. 15. See Preacher. 1.

2 ¶ If any men of great power or their Bayliffes, or any other (except the Queenes officers, vnto whom speciall authoritie is thereunto giuen) either vpon the plaint of others, or vpon their owne authoritie, doe attache oether passing with their goods through the place where they haue authoritie, to answere before them of contractes, couenants, or trespasses committed without their power and iurisdiction, whereas they holde nothing of them, nor within the franchise where their authoritie is, he which offendeth shal answere to the Partie grieued his double dammages, and shall pay a grievous amercement to the Queene. West. 1. 3. Ed. 1. 34.

1 Where the plaintife shall pay costes and dammages for vnlawfull arrestes, S. Damgages, 1. 2.

2 Where & by whom Nightwalkers shalbe arrested, S. Watch. 1.

3 That all shall be ready to arrest fellows and other great offenders, S. Felony. 37. 38.

Artificers.

If any Butchers, Bakers, Bruers, Pulters, Cookes, Costerdmongers or fruterers shall conspire, couenant, promise or take any othes, that they shall not sell their vitalles but at certaine pises, or if any Artificers, workemen, or Laborers doe conspire, couenant, promise together or make any othes that they shall not doe their workes but at a certaine pice or rate, or shall not take vpon them to finish that which an other hath begun, or shal doe but certaine worke in a day, or shall not worke but at certaine houres and times, Then euery of them so offending shall forfait for the first offence x. li. to the Queene, and if they doe not pay the same within sixe dayes after conuiction, they shall be imprisoned xx. dayes, and haue onely bread and water for their sustenance. And for the seconde offence, shall forfait xx. li. or &c. suffer the punishment of the pillorie. And for the thirde offence &c. shall forfait xl. li. or &c. to sit on the pillorie, loose one of his eares, and to be taken infamous, and neuer to be credited in matter of Iudgement. 2. Ed. 6. 15.

2 ¶ And if any such Conspiracie, Couenant, or promise be made by any company of any mysterie of the vitaylers aforesayde with the consent of the more part of them, then besides the particular punishment appointed for the offender, the corporation shall be dissolved to all intents, 2. Ed. 6. 15.

1 For the retaining, departing, working, wages, and order of Artificers, S. Laborers in all, and Iustices of peace, 66. 67. 68.

E. i.

Assise.

Butchers conspire for the selling of their vitalles.

Labourers conspire for the order of their workes.

Conspiracie made by a company of vitaylers.

Assise.

Assise of Estovers,
wood,
Coprodie.

Tolle, Tonnage,
Passage, Pontage, Pawanage.
Assise of offices.

Assise of common
of Turbary
fishing.

Assise against
Gardein or tenant
for peeres
and their allies.

Assise by tenant
by elegit,
statute, Recognizance.

Assise of a parsonage,
vicarage, tithes.

Assise of common
by the Parson of a
Church.
Assise against
an officer of
the Quenes.

A Man shall haue an assise of Estovers, of wood, and of profit to be taken in wood, of Nuttes, Acornes, and other fruit to be gathered, of a Coprodie, of deliuering Cozne and other vitayles and necessities, to bee receiued peerey in a place certaine, of Tolle, Tonnage, Passage, Pontage, Pawanage, and such like things to bee taken in places certaine. And an assise doeth lye of the keeping of Woodes, Forrestes, Parkes, Chales, Warrens, Gates, and other Bailiwikes, and offices in fee, and in all the foresayd cases the writte shalbe de libero tenemento. And as the Assise doeth lie of common of pasture, so doeth it of common of Turbary fishing, and such like, which a man hath belonging to his freehold or without his freeholde by speciall deede, at the least for terme of life. And also it lyeth against him which pastureth an other mans seuerall. Westm. 2. 13. Ed. 1. 25.

2 **I**f tenant for terme of peeres, or gardein of any tenement doeth alien the same in fee, wherby the freeholde is transferred vnto the feoffee, the remedie is by Assise, and the alienor shalbe adiudged a disseisor, and so shall the feoffee, so that during the life of either of them, the same writ will lie. And if by the death of the foresayd persons, the sayd remedie doeth faile, then there shalbe redresse by a writ of Entry. West. 2. 13. Ed. 1. 25. And the heire shall haue his recouerie immediately by assise against the gardein and tenant. And the gardein shall lose during his life the custody of the same thing recouered, and of all the residue of the inheritance which he holdeth of the same heires, West. 1. 3. Ed. 1. 48.

3 **I**f tenant by Elegit be put out of the tenement, which hee hath in execution, he shall haue an assise. 13. Ed. 1. 18. And so shall tenant by statute marchant, if he be put out. 13. Ed. 1. mercat. And inlike sort shall tenant by statute staple if he be put out. 27. Ed. 3. 9. And also tenant by recognizance in the nature of a statute staple, his executors, administrators and assignes shall haue an assise, if hee, they, or any of them bee disseised, or put out of the landes in execution. 23. Henrie. 8. 6. And assise may bee mayntayned by any parson deforced, which hath estate of inheritance, freehold, terme, right, or interest, in, or to any Parsonage, Vicarage, Porcion, Pension, Tythes, Oblations, or other Ecclesiasticall profit, made or to be made temporall for the recovery of the same. 32. Henrie. 8. 7. And the Parson of a Church may recouer common of pasture by Assise. 13. Edw. 1. 25.

4 **I**f any Escheto, Sherife, or other of the Quenes Baylives shall by colour of his office, (without speciall warrant, commaundement, or certaine authoritie which belongeth to his office) disseise

disseise any man of his freeholde, or of any thing which belongeth to his freeholde, either the disseisee at his choise shall haue assise &c. and recouer double dammagés, and the defendaunt shall bee amerced: or else the Queene vpon the disseisees complaint shall redresse the matter. West. 1. 3. Ed. 1. 24.

5 ¶ Where landes bee graunted by the Queenes patent, with out any title founde by enquest, or else where the Quenes entry is not giuen by the lawe, they which be put out, or disseised of their freehold, shall haue an especiall assise of the Lord Chauncelors graunt, without suite to the Queene: and if the parties to whome the patents bee graunted, doe praye in ayde of the Queene, the Chaunceloy shall graunt a writ of Proceedendo, without further suite to the Queene. And if they which be put out, or the disseisees doe recouer against such patentees, they shall recouer their treble dammagés, 1. H. 4. 8.

Assise against the Queenes patentee.

6 ¶ If any man in his owne right, to his owne vse, or in an other mans right to his vse, doeth make any forcible Entry into an other mans landes by way of maintenance, or doeth take, or cary away any goods of the possessors of the freeholde after any such forcible entrie, then if the partie greeued, or other lawfull man will affirme that the entrie was made in such forcible maner, the Chaunceloy may graunt to the partie greeued a speciall assise, and if the disseisor be attainted of such forcible disseisin, he shall bee one yere imprisoned, and pay to the Partie griued his double dammagés, and also dammagés for his goods. And one of the iustices of the one Benche, or the other, or the chiefe Baron of the Eschequer (if hee bee learned in the lawe) shall be named in euery such speciall assise, And no Superedeas shall be graunted to the contrary of such assise, 4. H. 4. 8. S. Force &c. 3. & 5.

A special assise against a disseisor with force.

7 ¶ Assise of rent issuing forth of tenementes in seuerall Counties shall be holden in the border of the same Counties, and the assise shall be tryed by people of the same Counties in such maner as hath bene vled of common of pasture being in one countie & appendaunt to tenementes in an other Countie. 7. Ric. 2. 10.

Assise of rent going forth of lands in seuerall counties.

8 ¶ The panels of speciall assises shall bee arrayed, and a Copie indented thereof deliuered by the sherife to the plaintifes, tenants or defendants, by the space of sixe dayes at the least before the Session of the Iustices, if they will demaunde it. And the Bailifes of fraunchises shall make their returnes to the Sherifes of all such speciall assises vi. dayes before, vpon payne of forfaiture xl. li. to the Queene by the said Sherife, or Bailife, for euery default. 6. H. 6. 2. 42. Ed. 3. 11.

Copies of panels shalbe deliuered to the parties.

9 ¶ If in assise brought before Iustices assigned, the Sherife bee named a disseisor, to the intent that he shall not serue the writ, but to

The Sherife named a disseisor in assise,

Assise.

Lord of auncient demesne, natioꝛs &c. named disseisors.

Defant made to put the Maioꝛs &c. from their Iurisdiction.

A disseisor by failing of a record be vouches.

Certificat of assise.

haue the same directed to the Coroners, the tenaunt may pleade, that the Sherife neither is, nor euer was disseisor nor tenaunt of the tenements in demaund, but was named by Collusion, which being founde by the Assise, the Iustices shall abate the writte, and the plaintife shall bee amerced. 11. H. 6. 2. And if assise, or other writte of plea of land bee brought against the Lord of auncient demesne, or against the Maioꝛ, Bailifes, and comminaltie of franchises, of landes, within the same franchises, which be neither disseisors, nor tenants, but therein named to take away their franchise, first the Iustices shall enquire by the assise whether the lord, Maioꝛ, Bailifes &c. bee disseisors or tenants (if they require it) or bee named by Collusion. And if it bee found that they be neither disseisors nor tenants, but named by collusion, then the writ shall be abated, and the plaintife amerced, notwithstanding the other tenants or disseisors be named or found in such assises or writs. 9. H. 4. 5. And if assise or any personall accion bee sued of any landes within any franchise or auncient demesne whereof the Iurisdiction belongeth to the Lordes, Maioꝛs, Bailifes &c. if the defendant make default to put the said Lordes, Maioꝛs &c. from their franchise, then the Iustices at the request of the Lordes, Maioꝛs, Bailifes &c. shall make enquire by the assise &c. or by enquest &c. And if it bee founde that such defaultes bee made by Collusion to exclude the Lordes, Maioꝛs &c. of their franchises, cognisance or iurisdiction, & writs shall be abated and the plaintifes amerced: And the plaintifes, Lordes, Maioꝛs, Bailifes &c. shall haue their Challenges. 8. H. 6. 26. S. Damages, 10.

IF he which is named a disseisor doeth personally alleadge any false exception, whereby the taking of the Assise may be differred, viz. that at an other time assise of the sayd tenementes passed betwixt the sayd parties, or that a writte of higher nature dependeth betwixt them of the same tenements, and doth vouch any Roulles or recorde to warrantie, and at the day giuen, bee faile of his warrant, he shall be adiudged a disseisor without recognisance of the assise, & shall restore double dammages of that which is or after shalbe founde, and also for his falshood shalbe one yere imprisoned. But if the saide exception bee alleaged by a Bailife, the taking of the Assise shall not therefore bee differred, nor Judgement vpon the restitution of the lande and dammages, yet if the Lorde of the same Bailife which was absent, do after come before y^e Justice which tooke the Assise, & doeth offer to proue by recorde & roulles y^e assise an other time passed betwixt the same parties of the same landes, or that the plaintife withdore to him selfe in a like suit, or that a plea dependeth betwixt them by a writ of higher nature, there

there shall be a writ awarded to bring the recorde before the iustices, & when the Iustices doe see that the recorde woulde haue preuailed before iudgement, & that thereby the plaintife shoulde haue bene excluded of his accion, they shall immediatly warne the partie, which first recovered to appeare at a day, at which day the defendant shall haue againe his seisin and dammages, which he first payed, with the dammages after the first iudgement giuen doubled, and he which first recovered shall be imprisoned at the Iustices discretion. The like remedie shall the defendant haue against whom in his absence an assise passed, which sheweth any deedes or releases, vpon the making whereof the Jury was not, nor could be examined because there was no mention of them in pleading, for the Iustices vpon the sight of those writings shall award a Scire facias against the partie which recovered to appeare at a day, and also shall cause the Iurores of the same assise to come, And if they finde those writings true, by verdict or inrolment, he shall be punished in forme aforesayde, which purchased assise contrary to his owne deede. West. 2. 23. Ed. 1. 16.

11 ¶ The Sherife shall not take an Oxe of him which is disseised, but of the disseisour onely, And if there be diuers disseisors named in one writ, yet he shall take but one Oxe, and he shall take an Oxe but of the price of v. s. or els the price. West. 2. 13. Ed. 1. 26.

Attachments
in assise.

- 1 Where the plaintife in assise may abridge his plaint, S. Abr. 1.
- 2 The remedie where the disseisor or disseisee dyeth immediatly after the disseison, or depending the suit, S. Age. 1.
- 3 Where the tenant in assise may make Attourney. S. Attourney. 3.
- 4 That the Iurores in assise are not compellable to say precisely that it is a disseison, S. Iurores. 32.
- 5 For the pleading of Iointenancy in assise, S. Iointenancy. 1.

Attaint.

Vpon euery vntrue verdict giuen betwixt partie and partie in any suit, plaint, or demaund, before any iustices or iudges of record where the thing in demaunde (and verdict thereupon giuen) extendeth to the value of xl. li. and concerneth not the ieopardie of mans life, the partie grieved by the same verdict shall haue a writ of Attaint against euery parson so giuing an vntrue verdict, & euery of them, and against the party which shall haue Iudgement vpon y^e same verdict. And by the death of the partie, or any of the petit Jurie the sayde attaint shall not abate, nor be differred against the remnant as long as two of the sayd petit Jurie be aliue, And euery one that shall passe in the same Attaint, shall haue landes to the value of xx. Marks by pere

Attaint where
the thing extends
to xl. li.

Attaint abate
th not by the
death of the de-
fendant or any
of the petit
Jurie.
What landes
each Iurores
must dispende
of

Attaint.

of freeholde out of ancient demesne. 23. H. 8. 3.

Proces in attaint.

2 ¶ In the same attaint there shall be awarded against the Jury, the party, and the grande Jury, sommons, resommons and distresse infinite, which graunde Jury shall be of like number as the graunde Jury is now &c. and vpon the distresse, which shall be deliuered of recorde vpon the same, open proclamation shall be made in the court where the distresse shall be awarded, moze then x. dayes before the returne of the same distresse, and euery such distresse shall be made vpon the land of euery of the sayd graund Jury, as in other distresses is vsed. And in all the aforesayd proces, such day shall be giuen, as in a writ of dower, wherein no E. 1. 23. H. 8. 3.

The graund Jury taken by default of the defendant, or petit Jury.

3 ¶ If the defendant or the petit Jurors, or any of them appeare not vpon the distresse, then the graund Jurie shall be taken against them and euery of them, that shal so make default. And if any of y^e sayd petit Jurie appeare, then the partie complainant shall assigne the false Serement of the first verdict vntreuely giuen, whereunto they of the petit Jury shall haue none answer if they be the same persons: And the writ, proces, returne, and assignement good and lawfull, (except y^e the demandant or plaintife in the same attaint hath before bene nonsuit or discontinued his suit of attaint taken for the same, or hath for the same verdict in a writ of attaint had iudgement against the sayd petit Jury,) but onely that they made true serement, which issue shalbe tryed by xiii. of the sayde graund Jury (for belawie in a personall Accion, or cause, or excommengement pleaded in the plaintife or demandant, is a void plea, whereunto he shall not be put to answer) And the partie shall plead that they gaue true verdict, or any other matter, which shall be a sufficient Barre of the saide attaint: And the graunde Jury shall be taken without delay to enquire whether the first Jurie gaue true verdict or no. 23. H. 8. 3. Stat. de Attinētis. 13. Ed. 2.

What pleas the petit Jury may plead.

What plea the defendāt in attaint shal plead

The punishment where the petit Jurie is attainted.

4 ¶ And if they finde that the petit Jurie gaue an vntreue verdict, then euery of the sayd petit Jury shall forfait xx. li. to the Queene and the partie that sueth, to be leuied by Capias ad satisfaciendum, Fieri facias, or Elegit, or by any accion of debt, And euery of y^e said petit Jury shall seuerally make fine, by the discretion of the Iustices, before whom the said false serement shall be found, after their seuerall offences, defaultes, and sufficiency, and shall neuer after be in any credence, nor their othes accepted in any court. 23. H. 8. 3.

Iudgement for the plaintife.

5 ¶ If such pleas, as the partie pleadeth, which is a barre of the attaint, be found or deemed against him, then the partie that so sueth shall haue iudgement to be restored to that he lost, with his reasonable costs and dammages. 23. H. 8. 3.

6 ¶ If

6 **I**f a false verdict bee given in any action, suite, or demande before any Justice &c. of recorde, of any thing personal, as debt, Trespass, and other like, which shalbe vnder the value of xl. li. then the partie grieved shal haue Attaint with such proces, and pleas, & without delays vt supra. And if the petit Jury bee attainted, then euery of the shal forf. v. li. to the Queene and partie &c. and also make fine by the discretion of the Justices, and euery person that may dispend v. marke by yeere of freehold out of auncient demesne, or is worth C. markes in goods, is able to passe in the same attaint, 23. H. 8. 3.

Attaint of any thing personal vnder xl. li.

7 **I**f there bee not persons of such sufficiency within the shire or place, where any of the said attaints shal be taken, as may passe in the same, then one Tales shal bee awarded, vnto the shire next adioyning by the discretion of the Justices &c. which shal be warned to appeare vpon like paines &c. and enabled to passe in the said attaints, as if they were dwelling in the shire where that same shalbe take, 23. H. 8. 3.

Tales into an other shire.

8 **I**f the partie in attaint given by this act, bee nonsuit, or discontinue the same, hee shal make fine and ransom by the discretion of the Justices, before whom the said attaint shalbe taken, and depending, And the Iudgement of restitution to the partie grieved, suyng this act and execution of the same shalbe had, and like Iudgement for the defendant or tenaunt to bee discharged of restitution, as in case of a graund attaint hath bene vled. 23. H. 8. 3.

Iudgment for the defendant where p. plaintife is nonsuit or doth discontinue.

9 **A**ll attaints shal bee taken before the Queene in her bench, or before the Justices of the common place, and in none other courtes, And Nisi prius shal bee graunted by discretion of y. Justices vpon the distresse. And euery of the said petit Jury, may appeare and answere by attorney in the said attaint. 23. H. 8. 3. 13. El. 25.

Attaints take in the Kinges Bench, common place and by Nisi prius. Returne in attaint.

10 **I**f there be diuers plaintifes or demandantes in an attaint, the nonsuit or releas of any of them, shal not bee prejudiciall to the residue, but they and euery of them in such cases may bee sommoned and seuered, like as it is vled, when there bee diuers demandantes in actions reall. 23. H. 8. 3. 13. El. 25.

Summons & seuerance in attaint.

11 **T**he same lawes, actions, and remedy, ordeined by this Act, shal bee kept, for and to all them that be grieved by such vntreue verdictes of any inheritance in discent, reuerfion, remainder, or of any freeholde in reuerfion or remainder. 23. H. 8. 3. 13. El. 25. 15. H. 6. 5. If tenant for life, in Dower, by the Curtesie, or in taile after possibility of Issue extinct, bee impleaded, plead to Enquest, and lose by verdict, default, or in other maner, he to whome the reuerfion of the same landes be, at the time of the iudgement, his heires or successors, shal haue a writ of attaint, to attaint the Jury, if hee will assigne the false

Attainres of inheritance.

He in the reuerfion may haue attaint of a verdict given against p. particular tenant.

Attaint.

ferement, aswell in the life of the sayde tenants as after their death.

9.R.2.3.S.ERROUR.1.

In what cases
attaint will lie.

12 ¶ A writ of attaint shall be graunted, aswell in plea of land of freehold, or any thing touching freehold, as in plea personal. 3.Ed.1. 37.34.E.3.7. And aswell vpon y^e principal as vpon the Dāgages in an Accion of trespass. And in this & all other cases the Justices shall not let to take the attaint for the Damages not payed. 1.Ed.3.6. And attaint shal be graūted in pleas of Trespas pursued aswel by bill as by writ before Justices of record. 5.Ed.3.7.28.Ed.3.8. Nisi prius shalbe graunted in attaint, but neither Essoyne of y^e Queenes seruice, nor protection shalbe allowed therein. 5.Ed.3.7. The partie greened by any false verdict giuen in any accion, suite, anowry, prescription, title or claime, made according to the statute provided for the limitation of prescription, may haue an Attaint. 32.H.8.2.

Attaint sued
by bill in the
Hustings in
London.

13 ¶ The partie greened by any false verdict giuen in any of the courts of the Citie of London, shall & may sue attaint by Bill in the hustings of London, holden for common pleas before the Maior & Aldermen of the same citie, & thereupon a precept shall bee awarded by the same Maior to euery Alderman of the said citie, or his deputie in his absence, to certifie the names of iiii. indifferent & discreete persons of good fame, & euery of them of substance of C.li. or more, Citizens of the same citie, dwelling in his ward, to the Maior and Aldermen of the sayde citie at the hustings then next ensuiing, of which persons so certified, the saide Maior and vi. Aldermen or moe holding the same Court of husting, shall impanell xlviii. persons, and the Maior shall cause to bee summoned the said xlviii. and also the Iuroys of the petit Jury, and the tenants or defendantes in the sayde bill of Attaint, to appeare before the Maior and Aldermen in the same Citie, at the hustings of common pleas then next to bee holden in the same Citie. And if the same Attaint happen to remaine vntaken by default of Iuroys by challenge or otherwise, vpon euery Tales granted, the sayd Maior and Aldermen shall impanel the sayd persons which were certified by the said Aldermen, or their deputies, & omitted out of the said panel, or put therein other persons being Citizens of the sayde Citie, and of y^e substance of C.li. or more, 11.H.7.21.

Who be suffi-
cient to passe
vpon Attaint
in London.

14 ¶ None of the petit Jury, ne other parties named in any such bill of Attaint shall haue any challenge to the Array, or to any person being impanelled for lacke of sufficient goods or landes, 11.H.7.21. And euery person being a Citizen of the Citie of London, & worth in goods CCCC. markes, may be impanelled by the Sherifes of London in euery attaint brought by writ, by vertue of the aforesayde statute

tute of 23. H. 8. vpon any verdict giuen by the Citizens without any challenge for insufficiencie of freehold of any of them. 37. H. 8. 5.

15 ¶ All the pleas pleaded for the tenant or defendant or by any of the Jurors of the petit Jury in the same attaint, & triable by any Jurie, shalbe tryed within the same citie, & by the Enquests of the same, and in none other place ne Countie, 11. H. 7. 21. And the Justices vpon attaint sued by writte according to the foresayde statute of 23. H. 8. vpon any verdict giuen by the Citizens of London, shall sit onely at the Guild Hal of the same citie, or at some other place within the same citie, and there sweare the graund Jury and take the verdictes, and the Citizens shall not be compelled to appeare in any such Attaint taken vpon any vnttrue verdict giuen in London, but only within the limites of the said Citie. 37. H. 8. 5.

Pleas of attaint commen-
ced in London,
shalbe tryed in
London,

16 ¶ If the graund Jury swozne in the same attaint, find that the petit Jury haue giuen an vnttrue verdict, then the Iudgement shalbe giuen against the defendant as is vled in attaint sued by writte, at the common law. And the iudgement shall be against the petit Jury, that euery of them shall lose xx. li. or more by the discretion of the Maior, & Aldermen of the said citie, keeping the Hustings, to such vse as other issues and penalties bene forfeited in any accion or playnt commen-
ced before the Maior and Aldermen &c. and his body to be imprisoned, there to remaine without baile or mainprise vi. monethes, or lesse, by the discretion of the Maior & Aldermen &c. and to be disabled for euer to be swozne in any Jury before any temporall Iudge, But the iudgement in such attaint shal not extend to any landes or tenements, ne to other punishment of the petit Jury. 11. H. 7. 21.

The iudgement
where the pe-
tit Jury in
London is at-
tainted.

17 ¶ If it be founde by the graund Jury that the petit Jury haue giuen an vnttrue verdict, then the graund Jury shal haue auctoritie to enquire if any of the petit Jury receiued any summe of money, or other reward, or promise of money, or other rewarde, of the named defendants or tenants in the same attaint, or of any other person, by the commandement, couin or assent of any of them, for the intent of their verdict giuing, whereupon the same attaint is grounded, & after any such corruption by the said graund Jury found, then the Juror that is so found defectiue in taking &c. shall pay to the plaintife named in the same attaint x. times the value of the summe, or other reward so take, or promised, and shall suffer imprisonment without bayle or mainprise vi. moneths or lesse, by the discretion of the said Maior and Aldermen, and shalbe disabled for euer, to be swozne in any Jury, before any temporall Iudge, and such defendant or tennaunt, in the same attaint shall pay to such vse as other penalties bene forfeited within the same citie,

The iudgement
where the first
verdict is af-
firmed.

Enquire of the
taking of re-
wardes.

x. times

Attaint. Atturney.

f. times the value of the summe of money or other reward, by him so giuen to any of the said petit Jury, & shalbe imprisoned without baile or mainprise, during vi. moneths or lesse, by the discretion of the sayde Maior and Aldermen. 11. H. 7. 21.

Keneby for the debts and damages recovered in the first accion.

18 ¶ If any debts, and dammages, or costes be recovered in any accion whereupon such attaint is groundes, and by the same attaint it be founde that the petit Jury hath giuen a false serement, then for the recouery and restitution of the same debt, dammages and costes, the plaintife in euery attaint shall and may sue an accion of debt against the same defendand or tenant, by Wit, Bill or Plaint &c. wherein no W. &c. 11. H. 7. 21.

If the plaintif be nonsuit, or the first verdict affirmed.

19 ¶ If any plaintife in any such attaint bee nonsuit, or if the first serement therein be affirmed, then he shal haue imprisonment, & make fine by the discretion of the Maior & Aldermen &c. and that fine shall be to the Maior and Comminaltie of the said Citie. 11. H. 7. 21.

The attaint shal not abate, though one of the plaintifes die or bee nonsuit.

20 ¶ If there bee two, or mo plaintifes in any such attaint, and any of them die or be nonsuit, the other shall bee enabled to sue for the proceeding in the same attaint: and notwithstanding the death of that defendat or tenant, or any of the petit Jury named in the same attaint, so that there be two of the same petit Jury on liue, the attaint shall not abate. 11. H. 7. 21.

Attaint per medietatem lingue.

21 ¶ Upon all attaints commenced within this Citie of London vpon any record, wherein the inquest was by halfe tongue, the Maior and Aldermen shall inpanell the graund Jury, the one halfe of strangers, of good name, of goods to the value of C. li. and more inhabiting within the same Citie, and the residue of Citizens of the same value. 11. H. 7. 21.

Libertie vpon whether statute the partie wil sue attaint

22 ¶ It is at the libertie of all persons, vpon an vntrue verdict giuen in any courtes of the citie of London, to sue their attaint vpon the statute made 23. H. 8. or els vpon the statute made 11. H. 7. at their owne pleasure. 23. H. 8. 3.

1 What challenge is allowable in attaint sued by bill or writte, in London. S. Challenge. 1. 2. 3. 4.

2 What issues euery Iuror, which appeareth not in attaint shall forfait. S. Iurors. 26.

3 Attaint by an heire within age vpon a verdict past against him. S. Age. 1.

Atturney.

Diris of Court

¶ Every free man which oweth suite to the Countie, Tything, Hundred, and wapentake, or to his Lordes court, may freely make his atturney to do those suites for him. Merton. 20. H. 3. 10.

3 ¶ Every

2 **E**uery man which feareth to be impleaded before the Justices of the Kings bench, Common place, Justices in Eire or of assises, or in any countie before the Shirefe, or in any court Baron, may make a generall attorney to pursue for him in the foresayde causes to be sued by him or against him, which attorney hath power to proceede in the same suites, vntill they be ended, or that his master doth remoue him. *West. 2. 13. Ed. 1. 11.*

A generall attorney.

3 **T**he tenants in assise of nouel disseisin, may make attorneys if they wil, and also they may pleade by Bailifes, Stat. Eborum. And after the tenant hath appeared in assise, attaint, or Iuris vtrum, he cannot be esloyned, but may make attorney for him. *West. 1. 3. Ed. 1. 41.*

Attain.

4 **E**uery of the petit Jury in attaint may appeare and answer by attorney in the same attaint. *23. H. 8. 3. 13. El. 25.*

Attain.

5 **T**he appellant in any appeale of murder, or death of man, where battell by the course of the common lawe lyeth not, may make his attorney, & appeare by the same in the sayd appeale after it is commenced, to the end and execution of the same. *3. H. 7. 1.*

Appeale.

6 **T**he defendantes may make attorneys in such suites where appell lyeth not, so that if they be attainted, in their absence the Shirefe shalbe commanded to take them, and then they shall receiue the punishment that they shoulde haue had, if they had bene present whē the iudgement was giuen. *Glo. 6. Ed. 1. 8.*

Suits wherein appeale lyeth not.

7 **N**o vnder Sherefe, Sheres Clarke, Sheres receiuer, or bailife shalbe attorney in any of the Queenes courtes for the time he is in office, with any such Sherefe. *1. H. 5. 4.*

Sheres officers shall not be attorneys.

8 **N**o Steward, Baylife or officer of any Lorde of a franchise, which hath retorne of writtes, shall be attorney in any plea within the same franchise. *4. H. 4. 19.*

These officers shall not be attorneys.

9 **I**f any Baron of the Eschequer, or Justice, or any of their Clarkes or officers, shall receiue any attorneys but only in the pleas & suites depending before them & their felowes, & in the Courts where they are assigned, the same admission is voyde. *Carloile. 15. Ed. 2.*

None shall receive attorneys but in suits depending before him.

10 **E**uery Justice of the one benche and the other, and also the chiefe Baron of the Eschequer haue auctoritie to examine outlawed persons which be sicke of any disease openly knowen, and to recorde attorneys for them, But in a writte of Capias ad satisfaciendum, the common law holdeth place. *7. H. 4. 13.*

Attorneys for outlawed persons diseased.

11 **I**f any Attorney be openly founde in default by recorde or otherwise, he shall forswear the court, and neuer after be allowed to prosecute any suite in any of the Queenes courts, and euery attorney shall be sworne truely to serue in their offices, and specially to make

The punishment of attorneys founde in default.

Attorneys oth.

Attaint. Atturney.

f. times the value of the summe of money or other reward, by him so giuen to any of the said petit Jury, & shalbe imprisoned without baile or mainprise, during vi. moneths or lesse, by the discretion of the sayde Mayor and Aldermen. 11. H. 7. 21.

Remedy for the debts and damages recovered in the first accion.

18 ¶ If any debts, and dammages, or costes be recovered in any accion whereupon such attaint is groundes, and by the same attaint it be founde that the petit Jury hath giuen a false serement, then for the recouery and restitution of the same debt, dammages and costes, the plaintife in euery attaint shall and may sue an accion of debt against the same defendant or tenant, by Writ, Bill or Plaint &c. wherein no W. &c. 11. H. 7. 21.

If the plaintif be nonsuit, or the first verdict affirmed.

19 ¶ If any plaintife in any such attaint bee nonsuit, or if the first serement therein be affirmed, then he shal haue imprisonment, & make fine by the discretion of the Mayor & Aldermen &c. and that fine shall be to the Mayor and Comminaltie of the said Citie. 11. H. 7. 21.

The attaint shal not abate, though one of the plaintifes die or bee nonsuit.

20 ¶ If there bee two, or mo plaintifes in any such attaint, and any of them die or be nonsuit, the other shall bee enabled to sue for the proceeding in the same attaint: and notwithstanding the death of that defendat or tenant, or any of the petit Jury named in the same attaint, so that there be two of the same petit Jury on liue, the attaint shall not abate. 11. H. 7. 21.

Attaint per medietatem lingue.

21 ¶ Upon all attainys commenced within this Citie of London vpon any record, wherein the inquest was by halfe tongue, the Mayor and Aldermen shall impanell the graund Jury, the one halfe of strangers, of good name, of goods to the value of £.li. and moze inhabiting within the same Citie, and the residue of Citizens of the same value. 11. H. 7. 21.

Libertie vpon whether statute the partie wil sue attaint

22 ¶ It is at the libertie of all persons, vpon an vnttrue verdict giuen in any courtes of the citie of London, to sue their attaint vpon the statute made 23. H. 8. or els vpon the statute made 11. H. 7. at their owne pleasure. 23. H. 8. 3.

1 What challenge is allowable in attaint sued by bill or writte, in London. S. Challenge. 1. 2. 3. 4.

2 What issues euery Iuror, which appeareth not in attaint shall forfait. S. Iurors. 26.

3 Attaint by an heire within age vpon a verdict past against him. S. Age. 1.

Atturney.

Dut of Court

¶ Every free man which oweth suite to the Countie, Tything, Hundred, and wapentake, or to his Lordes court, may freely make his atturney to do those suites for him. Merton, 20. H. 3. 10.

2 ¶ Every

2 **E**uery man which feareth to be impleaded before the Justices of the Kings bench, Common place, Justices in Eire or of assises, or in any countie before the Shirisfe, or in any court Baron, may make a generall attorney to pursue for him in the foresayde causes to be sued by him or against him, which attorney hath power to proceede in the same suites, vntill they be ended, or that his master doth remoue him. *West. 2. 13. Ed. 1. 11.* a generall attorney.

3 **T**he tenants in assise of nouel disseisin, may make attorneys if they wil, and also they may pleade by Bailifes, Stat. Eborum. And after the tenant hath appeared in assise, attainr, or Iuris vtrum, he cannot be essoynd, but may make attorney for him. *West. 1. 3. Ed. 1. 41.* nmo.

4 **E**uery of the petit Jury in attainr may appeare and answer by attorney in the same attainr. *23. H. 8. 3. 13. El. 25.* Attainr.

5 **T**he appellant in any appeale of murder, or death of man, where battell by the course of the common lawe lyeth not, may make his attorney, & appeare by the same in the sayd appeale after it is commenced, to the end and execution of the same. *3. H. 7. 1.* Appeals.

6 **T**he defendantes may make attorneys in such suites where appell lyeth not, so that if they be attained, in their absence the Shirisfe shalbe commanded to take them, and then they shall receiue the punishment that they should haue had, if they had bene present whē the iudgement was giuen. *Glo. 6. Ed. 1. 8.* Suits wherein appeale lyeth not.

7 **N**o vnder Sherife, Sherifes Clarke, Sherifs receiuer, or bailife shalbe attorney in any of the Queenes courtes for the time he is in office, with any such Sherife. *1. H. 5. 4.* Sherifes officers shall not be attorneys.

8 **N**o Steward, Bayliffe or officer of any Lorde of a franchise, which hath retorne of writtes, shall be attorney in any plea within the same franchise. *4. H. 4. 19.* These officers shall not be attorneys.

9 **I**f any Baron of the Eschequer, or Justice, or any of their Clarkes or officers, shall receiue any attorneys but only in the pleas & suites depending before them & their felowes, & in the Courts where they are assigned, the same admission is voyde, *Carloile. 15. Ed. 2.* None shall receiue attorneys but in suits depending before him.

10 **E**uery Justice of the one benche and the other, and also the chiefe Baron of the Eschequer haue auctoritie to examine outlawed persons which be sicke of any disease openly known, and to recorde attorneys for them, But in a writte of Capias ad satisfaciendum, the common law holdeth place. *7. H. 4. 13.* Attorneys for outlawed persons diseased.

11 **I**f any Attorney be openly founde in default by recorde or otherwise, he shall forswear the court, and neuer after be allowed to prosecute any suite in any of the Queenes courts, and euery attorney shall be sworne truly to serue in their offices, and specially to make The punishment of attorneys founde in default.

Attorney.

Warrant of at-
turney entred
of record.

When the at-
turney shal en-
ter his warrant.

Attorneys in
Norfolk, Suff-
olk, Nor-
wich.

The auditor shal
be proclaimed.

no suite in a foireine Countie. 4. H. 4. 18.

12 ¶ In all suites where the exigent lyeth, if the Attourney haue not his warrant of record the same terme that the exigent is awarded, he shall lose x. s. to the Queene, if he be attainted thereof by examination of the Iustices. 18. H. 6. 9.

13 ¶ Every such person which shalbe attourney for any other person or persons being demandant or plaintife, tenant or defendant, in any accion or suit commenced in any of the Queenes courts of record at West. & plead to an issue in the same, shall deliuer or cause to be deliuered his lawfull warrant of attourney to be entred of record for euery of the said accions or suites wherein he is named attourney, to the officer or his deputie ordeined for the receipt or entring thereof in the same terme, when the said issue is entred of record in the said court, or before, vpon payne of forfeiting x. li. for euery default for non deliue- ring of the said warrant, the one moitie to the Q. & c. the other to such officer to whom & c. the same warrant should be deliuered & c. to be re- couered by A. B. I. & c. wherein no W. & c. E. or W. & c. And also fur- ther shall suffer such imprisonment, as by the discretion of the the Ju- stices of the court (where any such default shalbe made) shalbe thought conuenient. 32. H. 8. 30. 2. Ed. 6. 22. 18. El. 13.

14 ¶ There shalbe but sixe common attourneis in the Countie of Norfolk, & sixe in the Countie of Suffolke, and two in the Cite of Norwich, to be attourneis in courts of record, and all the sayd iust. at- turneis shalbe elected and admitted by the two chiefe Iustices for the time being, of the most sufficient and best instructed by their discre- tions, and the election and admission of all attourneis by the sayd Iusti- ces aboue the said nomber in the saide counties, shall be voyde. And if any person vsurpe, or presume to be attourney in courtes of record in the sayd Counties or cite, other wise then before is specified, and that founde by inquisition, taken before the Iustices of peace in the sayde cite or counties (which haue power to enquire therof in their Sessions) or in any other maner lawfully proued, then he that so presumeth (if he be thereof lawfully conuicted) shal forf. xx. li. to the Q. & the I. & c. as of- ten as he is so conuicted, to be recouered by any that will sue by accion of debt. 33. H. 6. 7. In the same statute it is provided that the sayd ordinance should beginne, and first take effect at the feast of Easter then next comming & not before, if the same ordinance seeme rea- sonable to the Iustices.

Auditour and Receiuer.

¶ Every of the Queenes Auditors of the Exchequer, Duchy of Lan- caster, and Court of Wardes & Liveries, shall peereely proclayme and

and declare in euery Countie within their seuerall limits, in iiii. or iii. market towne or other places by the space of xx. dayes before their audit, when and where they will keepe their audits in the same shire, or they shall forfeite v. li. for euery offence to the A. & T. to be recovered by A. T. & c. wherein no W. & c. E. or P. & c. 33. H. 8. 39. See Accompt to the Queene. 12.

2 If any Auditor of the Eschequer, Duchie of Lancaster or Court of Wardes and Liveries, or any of his Clarkes, or other to their or any of their vse, shall take for the inrolment of any letters patents, decrees of the same Courtes, grants or indentures of leases, or for the allowance of the same, aboue iii. s. iiii. d. hee so offending shall forfeite vi. s. viii. d. for euery peny which he taketh aboue the foresayde summe, to the Queene and the Informer & c. to be recovered by A. T. & c. wherein no W. & c. E. or P. & c. and if any person doe offer to any such Auditor any such letters patents, decrees, leases & c. to be inrolled, he shall inroll the same or as much thereof as shall appertaine to his office, 33. H. 8. 39.

Auditors fees
for inrolment.

3 Euery Receiuer of the Eschequer, Duchy of Lancaster and court of wardes & liveries, which shall pay to any person an annuities, pension, or other rent, shall (if the same person vpon the receipt thereof will deliuer vnto him a sufficient acquittance, sealed & signed, testifying the same receipt) receiue the same, without taking any rewarde therefor, vpon paine to forfeite for euery peny or peny worth receiued vi. s. viii. d. And if the partie do not deliuer such a sufficient acquittance, but that the Receiuer or his Clarke doch make the same, he shall haue therefor iiii. d. and if he take aboue iiii. d. hee shall forfeite for euery peny or peny worth so taken vi. s. viii. d. And if any Treasurer, Receiuer or minister accomptant or their deputies which shall pay to any person, any fee, annuities, pension, duetie, warrant or rent, doe reteine, receiue or take of the party, to whome he shall pay the same, in way of rewarde or otherwise, aboue iiii. d. for euery pound that he shall pay, he shall forfeite vi. s. viii. d. for euery peny or peny worth which hee shall receiue ouer, to the party grieved, to be recovered by A. B. or P. wherein no W. & c. E. or P. & c. 33. H. 8. 39. 7. Ed. 6. 1.

What fees
euery Receiuer
shall take.

1 That Receiuors shall enter into bond with suerties to accompt and pay such money as they may lawfully be charged with, See Accomptants to the Queene. 10.

2 For Auditors & Receiuers precepts to Bailifes and other Accomptants. S. Accompt & c. 11. 12.

3 At what time Receiuers shall accompt, and when they shall make payment, S. Accompt & c. 16. 17. 18.

4 When

Auowrie.

4 When Auditors may commit accomptants to prison, See Acc
compt. 2.

Auowrie.

*Auowrie vpon
the land with
out naming as
ny person.*

Wheresoeuer any manor, lands, tenements & other hereditaments
be holden by any person by rents, customes or seruices, if þe lord
of whom any such manors, lands, tenements or hereditaments be so hol-
den, distraine vpon the same lands, for any such rents, customes, or ser-
uices, & replewintherof bee sued, the lord of whome the same lands &c.
be so holden may auowe, or his bailife or seruant make cognisance, or
iustifie for taking the sayd distresse vpon the same lands, tenements or
hereditaments so holden, as in lands &c. within his fee or seigniorie, al-
ledging in þe said auowry, conusance & iustification, the same landes &c.
to be holden of him without naming of any person certaine to be tenant
of the same, and without making any Auowrie, iustification, or conu-
sance vpon any person certaine: And likewise the Lord, Bailife, or
seruant shall make auowry, iustification or conusance in like maner &
forme, vpon euery writ sued of Second deliuerance. 21. H. 8. 19.

*Auowrie vpon
the land in Sec-
ond deliuerance.*

*Auowrant shal
reouer costes
and damages
against the
plaintiffe.*

2 **E**uery Auowrant, & euery other person, that make any auow-
rie, iustification or conusance, as bailife or seruant to any person in a
ny Replegiary or Second deliuerance for rentes, customes, seruices,
or for damage fesant, or other rents vpon any distresse taken in any
landes or tenements, if the same auowry, iustification or conusance be
founde for them, or the plaintiffe in the same bee nonsuite, or otherwise
barred, then they shall reouer their damages & costes against the saide
plaintiffes, as the same plaintiffes shoulde haue done if they had recou-
red therein against the said defendants. 21. H. 8. 19. S. Damages. 7.

*Such pleas &
apde praiser, as
were at the
common law.*

3 **T**he said plaintiffs & defendants in the said writs of Replegiary
or of Secod deliuerance, & in euery of them, shal haue like pleas & like
Apde praiser in all such auowries, conusances and iustifications (Pleas
of disclaimer onely except) as they might haue had before the making
of this Act, & as though the sayde Auowry, conusance or iustification,
had bene made after the due order of the common lawe. 21. H. 8. 19.

*Ioyning in
apde,*

4 **A**ll such persons as by the order of the common lawe may
lawfully ioyne to the plaintiffs or defendants in the said writtes of Re-
plegiary or Second deliuerance, aswel without proces as by proces,
shall ioyne vnto the said plaintiffs or defendants aswel without proces
as by proces, and haue like pleas, & like aduantage in all thinges (Dis-
claimer only except) as they might haue done by the order of the com-
mon law before the making of this Act. 21. H. 8. 19.

Auowry for rents due after the estates in the same rents bee deter-
mined. S. Rents. 1, 2, 3.

If any man which hath no right, doth present vnto a Church during the wardship of any heire within age, or during the interest of tenant by the curtesie, in dower, tenant for terme of life, or peeres, or tenant in taylor, by the fraude or negligence of the warden of the same heire, or of any of the aforesaid tenants, the same presentation shall not be so prejudiciall to y same heire, or to him to whom the reuerſion ſhal come after the death of any of the aforesaid tenants, but that after the heire shall come to his full age, or the Church be come voyde after the death of any of the aforesaid tenants, he to whome the same belongeth shall haue the same action & recovery by possessary writ to recover the aduowson, as the last ancestor of such heire being of full age in the last aduowdance falling before his death or before the demise was made for a terme, or in taylor, should haue had. And the like remedie is to bee had of presentations made to Churches of the inheritance of wiues, during their couerture. Also Bishops, Archdeacons, parsons of Churches, and other ecclesiastical persons shall haue remedie by this statute, if any man hauing no right doe present vnto Churches belonging to their spiritual dignities or personages during the vacation of such dignities, personages &c. West. 2. 13. Ed. 1. 5.

Usurpation during particular estates.

2 But this statute shall not bee vnderstand so largely, that the aforesaid persons for whose remedie it was ordayned, shall haue their recovery by surmising that the said wardens or tenants did faynedly defend the suite moued by, or against them: for iudgements given in the Queenes court shall not be aduulged vntill they be defeated by Error, attaint or certificat. West. 2. 13. Ed. 1. 5.

3 If it happen after the death of the ancestor which presented, that the same aduowson be assigned in dower, or holden by the curtesie, and those tenants present, and after their death the right heire bee disturbed to present, it is in his election, whether he will haue a Quare impedit or Assise of Darrein presentment, and in like sort it is of Aduowson demised for terme of life, peeres or in taylor. Westm. 2. 13. Ed. 1. 5.

Remedie for a disturbance after a particular estate ended.

4 If a man do suffer a recovery of a manour whereunto an aduowson is appendant, he that doth recover the same, shall haue a Quare impedit vpon a disturbance, as he, against whom the recovery was, might haue had. 7. H. 8. 4.

The recoverer shall haue a Quare impedit of the aduowson.

5 If there be agreement made betwixt severall persons which do clayme the aduowson of a Church, and inrolled before the Iustices or by a fine, in this maner, the one shall first present, and at the next aduowdance another, and at the third a third, and so further, and when one hath presented for his turne, according to the agreement, and at the

Presentation by composition.

Aduowson. Badger, Lader, Carier, Drouer.

the next auoydance he to whom the second presentation belongeth, is disturbed by any that was party vnto the agreement or some other in his steade, he that is disturbed shall not neede to sue a Quare impedit, but shall haue recourse to the Rol or fine, and if the agreement be there found, he shall haue a Scire fac. to warne the disturber to appeare with in xv. daies or iii. weekes, according to the distance of the place, to shew if he haue any thing to say why the party disturbed should not recouer his presentation. And if he appeare not, or do appeare & can say nothing why the party disturbed should not recouer his presentation by reason of any deede after the agreement made or enrolled or the fine, he shall recouer his presentation with his dammages, Westm. 2. 13. Ed. 1. 5.

**Usurpation by
Parceners.**

6 ¶ When an aduowson descendeth vnto Parceners, though one present twise, and vsurpeth vpon his coheire, yet he that was negligent shal not be clerely barred, but another time shall haue his turne to present when it falleth, West. 2. 13. Ed. 1. 5.

**Plenertie of
the defendants
presentment.**

7 ¶ If the defendant do except in assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentment, the suit shall not remaine by reason of that plenertie, so that the writ be purchased within sixe moneths, though he can not recouer his presentation within sixe moneths. West. 2. 13. Ed. 1. 5.

**Dammages in
Quare impedit
or in assise
of Darrein
presentment.**

8 ¶ Damages shalbe rewarded for two yerres value of the Church, in a Quare impedit, and Darrein presentment, if sixe moneths doe passe by any mans disturbance, so that the Bishop do conferre, and the very patron doeth lose his presentation for that time, and if the disturber haue not wherewith to restore dammages, he shalbe two peeres imprisoned. If the sixe moneths be not past, but the Aduowson is recovered within that time, then dammages shalbe awarded to halfe a yerres value of the Church, and the disturber shalbe halfe a yere imprisoned, Westm. 2. 13. Ed. 1. 5. See prerogatiue. 9.

9 ¶ When the parson of any Church is disturbed to demaunde tythes in the next parish by a writ of Indicauit, the Patron of the parson so disturbed shall haue a writte to demaunde the Aduowson of the tythes in question, And when it is dysproued, the suite shall so farre forth proceede in the spirituall Court, as it was dysproued in the Queenes court. Westm. 2. 13. Ed. 1. 5. S. there that writes will lye of Chappels, Prebends, Vicarages, Hospitals, Abbeys, Priories, and other houses, which be of other mens Aduowsons.

**To whom and
where a badgers
licence
shalbe made.**

Badger, Lader, Carier, Drouer.

¶ If any licence be made to any Badger, Lader, Kidder or Carier of coyne, Drouer of cattell, buyer or transporter of coyne and grayne, butter,

butter and cheese, otherwise then in the generall and open quarter session of the peace holden in the Shire where the partie admitted, assigned or allowed, doeth, and by the space of three yeeres before the Teste of his licence, hath dwelled, or other then to such person as is, or hath bene marped, is a houlholder, no houlholde servant or Retayne, and xxx. yeeres of age at the least, or to haue continuance for more then one yeere, or which beareth not date the day and place where the Sessions be holden, or is not signed and sealed with the handes and seales of three Iustices of the peace, being present at the same Sessions, whereof one to be of the Quorum, the same licence is voyde, and the partie which taketh the same shall forfeit five pound to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. or R. &c. 5. Eliz. 12. 13. Eliz. 25.

2. ¶ No person shall vpon paine of v. li. to be forfeited and recovered as is aforesayd, by authoritie of such licence, buy any Corne out of open faire or market, to sell the same againe, except he be thereunto specially licenced by expresse words in his licence. 5. Eliz. 12.

Licence to buy
Corne out of a
market.

3. ¶ All licences made to the said Badgers, Ladgers, Drouers, &c. and all recognisances taken of them by the Iustices of peace in their Sessions (that they shall not doe any thing contrarie to the statute, 5. Ed. 6. 14.) shall be made and written by the Clerke of the peace of the same Countie or his deputie and none other person, and the sayde Clerke shall haue xii. d. for the licence, and viii. d. for the recognisance, and for the registering of them both iiii. d. at the most, for which fee the Clerke or his deputie shall keepe a Register booke, and therein shall write the names, surnames and dwelling places of such as be licenced, with a brieve entrie of the licence and of the day, time, & place where it was graunted, which booke he shall bring to euery sessions that it may appeare what number of licences be graunted. 5. Eliz. 12. 13. Eliz. 25.

Licences and
recognisances
shalbe regis-
tered.

4. ¶ This act shall not extend to preiudice the libertties of any citie or towne corporat, but euery of them may lawfully assigne and licence purueyors for the prouision of the same citie or towne corporate, as they might haue done before &c. neither shall this act be preiudiciall to the inhabitants within the Countyes of Westmerlande, Cumberlande, Lancaster, Chester, Woxke, or any of them, but they may doe as they haue vsed to doe. 5. Eliz. 12. 13. Eliz. 25. S. Forstall-
lers. Iustices of peace. 32. 33.

Purueyors for
Cities and
townes cor-
porate.

Fi. Bankruptes.

Bankrupts.

Who is a
Bankrupt.

IF any Marchant or other person using the trade of Marchandize by way of bargaining, exchange, rechange, barter, cheuifance, or otherwise in grosse or by retayle, or seeking his or her trade of living by buying and selling, and being subiect bozne of this Realme, or of any the Ducenes dominions, or Denizen, shall depart the Realme, or begin to keepe his or her house, or otherwise to absent him or her selfe, to take Sanctuarie, or suffer him or her selfe willingly to be arrested for any debt or other thing not growen or due for money delivered, wares solde, or any other iust or lawfull cause, or will suffer him or her selfe to be outlawed, or yeelde him or her selfe to prison, or depart from his or her dwelling house to the intent to defraude or hinder any of his or her creditors being also a subiect bozne, of the iust debt or dutie of such creditor or creditors, he shall be deemed and taken for a Bankrupt. 13. El. 7.

Commissioners
shal take order
for bankrupts
bodys, lands,
and goods.

2 **T**he Lord Chauncellour, or keeper of the great Seale, vpon complaint to him made in wryting, agaynst any such person being Bankrupt as is aforesayde, hath auctoritie by commission vnder the great Seale, to assigne such honest & discrete persons, as shall seeme to him good, who or the most part of them, shall haue auctoritie to take such order with the bodie of such person wheresoeuer he or shee may be had, either in house, sanctuarie, or els where, aswell by imprisonment of his bodie, as with his landes, tenements, and hereditaments, aswell copie or customarie holde as freeholde, which he shall haue in his owne right before he became Bankrupt, as also with all such landes, tenements, and hereditaments, as he hath purchased or obteyned for money or other recompence, ioyntly with his wife, childe or children, to y only vse of such offendour, or of, or for such vse, interest, right or title, as such offendour then shall haue in the same, which hee may lawfully depart withall, or with any person or persons of trust to any secrete vse of such offendour. And also with his money, goods, cattels, wares, marchandizes, & debts wheresoeuer they may be found or knowen, and cause the sayd landes, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, & debts to be searched, viewed, rented, and apprysed to the best value they may, and by deedes indented, inrolled in one of the Ducenes Courtes of Recorde, to make sale of the sayd landes, tenements, and hereditaments, & of all deedes, evidences, and wrytings, touching onely the same, belonging to any such offendour or debtoz, and also of all fees, annuities, offices, goods, and cattels, or otherwise to order the same for the true satisfaction and payment of the same creditors, that is to say, to euery of the said creditors a portion, rate and rate like, according to the quantitie of his debtes.

And

And every direction, order, bargain, sale and other things done by the sayd persons so authorized, as is aforesaid in forme aforesayd, shall be good in lawe to all intents agaynst the sayd Offendor or debtor, his wife, heires, and children, and such persons as by such ioynt purchase with the offendor, shall haue any estate or interest in the Premises, and agaynst all other persons claiming by, from or vnder such offendor or debtor, by any Act had, made or done after he shal become Bankrupt, as is aforesayd, and also agaynst the Lords of the manors, where of the said Coppelhold or Customary landes be holden, their heires, successors and assignes, and euery of them. 13. El. 7.

13. **C** All persons to whome any such sale of Coppelhold or Customary landes shalbe made, shall (before they shall enter or take any profit of the same) compound with the Lords of the manors, of whom the same shall be holden, for such fines or incomes as heretofore hath bene accustomed to be payed therefore. And vpon euery such composition the sayd Lordes at the next Court to be holden, at, or for the sayd Manor, shall not onely graunt vnto the sayd vendee or vendees vpon request, the same Coppel or Customary landes, by Coppel of court roll of the same Manor, for such estate, or interest as to them shalbe so solde, and reseruing the ancient rents, customes and seruices, but also in the same Court admit them tenants of the same copie or customary landes &c. as other Coppelholders of the same manors haue bene wont to be admitted, and to receiue their fealtie accordingly. 13. El. 7.

Vendees of copie holdes shall compound with the lordes of the manors.

14. **C** Such of the sayd Commissioners as shall put the said Commission in execution, shall vpon lawfull request to them made by y^e sayd Bankrupts, not only make a true declaration to the same Bankrupts of the imploying and bestowing of their sayd landes, tenementes, offices, fees, goods, cattels, & debts so paid to their sayd creditors, but also make payment of the ouerplus of the same (if any such shalbe) to the sayd bankrupts, their executors, administrators or assignes. 13. El. 7.

Commissioners shall declare how they haue bestowed the bankrupts goods, &c.

15. **C** If after any such act or offence committed, & complaint thereof made to the sayd Commissioners, or the more part of them, by any partie grieved, as is aforesayd concerning the Premises, knowing, supposing or suspecting any of the goods, cattels, wares, merchandizes, or debts of such offendor or debtor, to be in custodie, vse, or possession of any person, or any person to be indebted to any such offendor, doe make relation thereof to the sayd Commissioners or the more part of them: Then the sayd Commissioners or &c. haue full power to sende for, and call before them, by such proces, meanes, or wayes, as they shall thinke conuenient, euery such person so known, suspec-

Examination of such as haue bankrupts goods, or be indebted to the.

Bankrupts.

ted or supposed to haue any goods, debtes &c. in his custodie &c. or supposed to be indebted to such offender, and vpon his apparance to examine him as well by his othe as other wise, by such meanes, as the sayde Commissioners or &c. shall thinke meete for and vpon the specialtie, certaintie, true declaration and knowledge of all and singuler such goods and debtes of any such offender as be suspected to be in his custody, vse, occupation or possession, & all such debtes as by himselfe shall be supposed to be owing to any such offender. And if any such person vpon such examination doe not disclose plainly, & declare the whole trueth of such things as he shall bee examined of, concerning the premises to his knowledge, or doe denie to sweare: Then euery such person denying to sweare, or doe not declare the whole trueth being examined, vpon due prooofe thereof to be made, before the sayd Commissioners or &c. by witnes, examination, or otherwise, as to the same Commissioners or &c. shall seeme sufficient, shall forfeit the double value of all such goods, rattels, wares, marchandizes, and debtes by them so concealed, and not plainly and wholly declared, which forfeiture shall be leuyed by the sayd commissioners or &c. of the lands &c. goodes &c. of such person so denying to sweare, or not disclosing the whole trueth, by such meanes, and in such maner and forme, as is before limited for the principall offender, the same forfeiture to be imployed to and for the satisfaction of the debtes of the sayde Creditors, in such like maner, rate and forme, as is aboue declared, concerning the ordering of the lands and tenements, offices, fees, goods and rattels of such offender or debtor, as is aforesayd. 13. El. 7.

Fraudulene
possessing of
Bankrupts
lands & goods.

6 ¶ If at any time before or after that any such person departeth the Realme, or shall keepe his house, or otherwise absent himselfe, or take Sanctuarie, or suffer himselfe to be arrested, outlawed or peele his bodie to prison, any person doe fraudulently by couin clayme, demand, recouer, possesse or detainne any debtes, dueties, goods, rattels, lands, or tenements, by wytyng, trust or other wise, which were or shall be due or appertaine to any such Offender, other then such as he can and doe proue to be due, by right and conscience in fourme aforesayde, for money payed, wares deliuered, or other iust consideration to the iust value thereof, before the sayd Commissioners or &c. and the same to proceede (bona fide) without fraude or couin, then euery such person so craftely demanding, clayming, hauing or possessing any such debt, shall forfeite double as much as he shall so claime, demand, detain or possesse, which said forfeiture shalbe leuied, recouered, & imployed in maner and forme before rehearsed. 13. El. 7.

7 ¶ If it shall fortune the creditors of any such Bankrupt to be satisfied

satisfied and payed of their debts and duties, of or with the proper lands, goods, & debts of the sayd Bankruptes, of of, or with the same, and some part of the forfeitures of the sayde double values, to be forfeited as is aforesayd, and that there shall remaine an ouerplus of the said forfeitures of the sayd double values, then the one moitie of the sayd ouerplus shall be by the sayd Commissioners so executing the sayd Commission within conuenient time after the leuying thereof, payed vnto the Queene &c. and the other moitie shall be distributed amongst the poore within the hospitals in euery Citie, Towne, or Countie, where any such Bankrupt shall happen to be. 13. El. 7.

Now the ouerplus of the forfeiture shall be employed after the creditors payed.

8 ¶ If any such person indebted, doe of purpose withdraue himselfe from his vsual mansion house, then vpon complaint thereof made to the said Commissioners, the same Commissioners or the more part of them haue full power to award v. Proclamations, to bee made in the Queenes name vpon fise sundry Market dayes in such places neere the place where such Bankrupt hath most commonly dwelled, or made his aboade, commaunding him by the same Proclamations in the Queenes name, to returne with all conuenient speede, and to peelde his bodie before the sayd Commissioners or one of them, at such time and place, as by the sayd Proclamation shall be appoynted. And if the said person doe not according to such Proclamation repaire and peeld his body as is aforesayde, then the bodie of euery such offender, shall be adiudged to all intents out of the Queenes Protection. And also euery person that shall willingly and wittingly helpe to hyde or conuey, or shall willingly and wittingly receiue, detaine, or keepe secretly any person so demaunded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the Queenes Maiestie, her heires and successors, as to the Lorde Chauncello, or Lord keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme conuenient for his sayde offence. 13. El. 7.

A remedie for him which departeth from his house.

Conueying or hiding him which is demaunded by proclamation.

9 ¶ If the Creditors of any such offender or debtor &c. bee not fully satisfied or oherwise contented for their debts and duties by the meanes before specified, then the said Creditors and euery of them, shall and may haue their remedie for the recouerie and leuying of the residue of their sayd debts or duties, whereof they shall not bee fully satisfied in forme aforesayd, against the sayd Offender, in like maner and fourme, as they should and might haue had before the making of this Act. And the said Creditours and euery of them, shall be onely barred and excluded by vertue of this Act, of and for euery such part of the said debts and duties, as shall be payd or deliuered vnto them,

A remedie for the creditors which be not fully satisfied, according to this statute.

Bankrupts. Barke.

28

Extending of
lands & goods
descended unto
or purchased
by a Bank-
rupt.

Lands conceid
away before he
became bank-
rupt.

Oakes shall be
felled in bark-
ing time only

Burthenors shall
fell oaks onely
in barkening
time.

by order of the sayd persons as is afore sayd, and of no more portion or
parcell thereof. 13. El. 7.

10. ¶ If any person declared to be a Bankrupt by this Act, shall
at any time after purchase any landes, tenements, hereditaments, free
or Copy, offices, fees, goods or cattels, or that any such shall descend,
revert, or by any meanes come to him, before his debtes due to his
Creditors shalbe fully payed, or otherwise agreed for: Then the same
lands, goods, cattels &c. shall by the sayd Commissioners or the more
part of them, be bargayned, solde, extended, deliuered and bled for, and
towards the payment of the sayd Creditours, in such like maner as
other the lands, cattels &c. of the sayd Bankruptes, which they had,
when they were declared first to be Bankrupts, should or might haue
bene by vertue of this Act. 13. El. 7.

11. ¶ This Act shall not extend to any lands, tenements, or here-
ditaments free or Copy holde, which shalbe assured by any Bankrupt,
before he become Bankrupt, so alwayes that such assurance be made
(Bona fide) and not to the vse of the Bankrupt himselfe onely, or of
his heires. And that the parties to whose vse such assurance shall bee
made, be not, at, or before the making of such assurance, proue or con-
senting to the fraudulent purpose of any such Bankrupt to deceyue
his Creditors. 13. El. 7.

Barke. ¶ If any person fell, or cause to be felled any oken trees, meete to be
barked, where the barke is worth ii. shillings a Cart loade, aboue
the charges of barking and pilling (timber to be bestowed in or a-
bout buylding or reparacions of houses, ships or mills, or any of them
onely excepted) but betwixt the first day of Aprill, and the last of June,
he shall forfait every Oken tree so felled, or the double value thereof,
to the Queene and Informer, to be recovered by A. J. &c. wherein no
W. &c. E. or P. &c. 5. El. 8.

2. ¶ No taker or Puruey or of Timber, or his deputie, shall fell or
cause to be felled for the Queenes vse, her heires or successours any
Oken timber tree meete to be barked, but in barkening time (Trees
to be felled for building or repairing of any of her Maiesties houses or
shippes onely excepted,) or shall in any wise take or receyue any pro-
fite by any loppes, or toppes, or barke of any tree taken by him, or shall
take, carry away, or dispose from the owner any more of any tree to
be taken as is afore sayd, then onely the timber of the same tree or trees,
to be bled & bestowed or imployed onely in, vpon, or about y^e Queenes
buildings, or shippes, vpon paine to forfait to the partie grieved for
euery tree, and for the loppes, toppes, or barke of euery tree pl. s. And
it is

It is lawfull to the partie grieved of whom such trees shalbe taken, or to any other for him, to withholde, retake and keepe to himselfe, all the loppe, toppe, and barke of such tree by trees, any Commission or other matter whatsoeuer notwithstanding. 3. Cl. 8.

3. **¶** Whosoever shall maliciously, unlawfully, and willingly barke any Apple trees, Pearre trees, or other fruitre trees, of any other persons, shall forfait to the partie grieved treble painages, and to the Queene .x. li. for a fine. 3. 7. Cl. 8.

Barking of
apple trees.

¶ Two Justices of the peace, whereof one to be of the Quorum, in or next unto the limits, where the Parish church is, within which parish any bastard begotten and borne out of lawfull Matrimonte shalbe borne (upon examination of the cause and circumstance) shall and may by their discretion, take order, as well for the punishment of the mother, and reputed father of such bastard childe, as also for the better reliefe of every such parish in part or in all, and shall and may likewise take order for the keeping of every such bastard childe, by charging such mother or reputed father, with the payment of money weekly, or other sustentation for the reliefe of such Childe, in such wise as they shall thinke convenient. And if after the same order by the subscribed vnder their handes, any the said persons, that is to say, mother or reputed father, upon notice thereof, shall not for their part perfourme the sayd order: Then every such partie so making default, in not perfourming the sayde order, shalbe committed to ward to the common Gaole, there to remaine without baile or mainprise, except hee, she, or they shall put in sufficient suerties to perfourme the sayd order, or els personally to appeare at the next generall Sessions of the Peace, to be holden in that Countie where such order shall be taken, and also to abide such order, as the sayde Justices of Peace, or the more part of them, then and there shall take in that behalfe (if they then and there shall take any,) and if at the sayde Sessions the sayde Justices shall take no order, then to abide and perfourme the order before made, as is abovesayd. 18. Cl. 3.

Justices of
peace shal take
order for Bas-
tards.

2. **¶** If it bee alledged agaynst any childe inheritable, borne beyond the Sea, without the Queenes leageance, whose father and mother (at the time of his birth) were vnder the sayth and leageance of the King or Queene of England, and whose mother passed the Sea by licence of her hulbande, in any suite by him commenced for any lande to him descended after the death of his auncestre, that he is a bastard, in case where the Bishop ought to take cognisance of Bas-

Triall of Bas-
tardie pleaded
agaynst one
borne beyond
the Sea.

Bastardie, the Bishop of the place where the lande is demaunded, shalbe commanded to certifie the Queenes Court where the plea dependeth, as it hath bene vlsed where bastardie is alledged agaynst them which be bozne in England. 25. Ed. 3.

It is a bastard which is bozne before mariage

3. ¶ It is an auncient and approued lawe in this Realme, that he which is bozne before mariage is not legitimate to enioy any inheritance, as he that is bozne after maryage. Merton, 20. H. 3. 9.

Proclamations made before the writ to the Bishop to certifie Bastardie.

4. ¶ In all Courtes where any suite shalbe commenced, wherein Bastardie shall be pleaded agaynst any person, partie to the same suite, and thereupon an Issue ioyned, which by the lawe ought to be certified by the Ordinarie, the Iustices or one of them of the same Courts before any writ of Certificate shall passe to the Ordinarie to certifie the issue so ioyned, shall make remembraunce vnder their seales or scale, at the demaundant, tenant, plaintife, or defendants suite, reciting the issue, and shall certifie the same to the Chauncelour of England, to the intent that Proclamation may be made in the Chauncerie once euery moneth by the space of three Moneths, that all persons which haue any interest to object agaynst him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificat shalbe directed, to alledge, and object against the partie pretending to be mulier, as the lawes of the Church do require. And the Chauncelour hauing notice of the same remembrance and issue ioyned, and being required by one of the foresayd parties, shall cause the sayd Proclamations to be made in forme aforesayd, and shall certifie the same into the Court where the suite shall depende. And the iustices of the Court where the suite shalbe commenced, shall make one Proclamation openly in the same Court before any Proclamation made in the Chauncerie, and another after the Chauncelour hath certified, and then the Judge shall award the sayd writ of Certificate to the Ordinarie, to certifie of the issue ioyned. And if any writ of Certificate bee graunted before all the Proclamations in forme aforesayde bee made and certified, the sayd Certificat, and the Certificate of the Ordinarie thereupon made, shall be voyde in lawe. 9. H. 6. 11.

Barwicke.

Marchandizes consueped into or out of Scot-land shall be brought from Barwicke.

¶ All marchandizes that shall be brought out of Scotlande into this Realme, Ireland, or Wales, shall be first brought to Barwicke. And none vnder the Queenes obeyesance shall buy such marchandizes, before that it be solde and customed there (except at Carluel, and the Portes and Creekes pertaining to the West March.) And also none vnder the Queenes obeyesance shall carry any marchandize being

ing in England, Ireland or Wales, into Scotland, or into the Isles of the same. And none vnder the Queenes allegiance shall sell marchandize of England, Wales or Ireland, to any inhabiting in Scotland, except at Berwicke and Carleil. No marchandize shalbe shipped betwene Tinmouth & Berwicke, but onely in the Port of Berwicke. No man shall cause to be solde Salmon taken in Tweed but the Burgesse, and they that be enfranchised in Berwicke. And he that offendeth, or doeth with any marchandize contrarie to this ordinance, shall forfeite the same to the Q. and him that will seise, or sue for the same by A. of debt, wherein no W. & C. & c. 22. Ed. 4. 8.

1 For payment of Mortuaries in Berwicke & the Marches thereof, S. Mortuaries, 5.

Bishops.

If the Deane and Chapter of any Cathedral Church where the sea of any Archbishop or Bishop is, within any of the Queenes dominions where the Queenes licence vnder the great seale is graunted vnto them to proceede for the election of any Archbishop or Bishop of the sea being boyde, with a letter missiue containning the name of the person which they shall chuse, after such licence deliuered vnto them, proceede not to election within xii. dayes, and signifie the same vnder their common seale vnto the Q. her heires or successours within xx. dayes next after such licence shall come to their handes: or if any Archbishop or Bishoppe within any the Queenes dominions, after any such election, nomination, or presentation, shall be signified vnto them by the Queenes letters patents, shall refuse, and do not confirme, inuest, and consecrate with all due circumstance, euery such person so elected, nominated or presented, and to them signified within xx. dayes next after the Queenes letters patents, or such signification, or presentation shall come to their handes, or els if any of them, or any other person, admit, maintayne, allowe, obey, doz, or execute any censers, excommunication, interdictions, inhibitions or any other proces or Act to the contrary or let thereof, then euery Deane and particular person of the Chapter and euery Archbishop and Bishop and other person so offending and doing contrary to any part hereof, their aydoers, counsellors, and abbettors, shall runne in the daungers and penalties of the statute of Prouision and Premunire made, 25. Ed. 3. & 16. R. 2, 25. W. 8. 20. 1. Cl. 1.

Election of Bishops.

Confirming of Bishops.

1 For a writ to the Bishop to certifie Bastardie, S. Bastardie. 4. A. bilitie, 2.

2 What assurances made by Bishops &c, of their landes shall be good and what not, S. Ecclesiast. 6,

3 That

Bookes.

3 That a Bishop may visite euery Hospitall within his Dioces. S. Hospitals. 1.

4 That Bishops may punish Priests, Clerkes &c. for incontinencie. S. Incontinencie.

Bookes.

Books brought
from beyond
sea bound.

If any person resiant or inhabitant within this Realme, shall buy to sell againe, any printed bookes, brought from any partes out of the Queenes obeyssance, readie bound in boords, leather, or parchment, he shall forsaite for euery booke bound out of the Queenes obeyssance, and brought into this Realme, & bought by any person within the same to sell againe, vi. s. viii. d. to the Queene & the partie that will seise or sue for the same, by A. J. &c. wherein no W. &c. E. or P. &c. 25. P. 8. 15.

Books brought
from beyond
sea bought in
grosse.

2 If any person inhabitant or resiant within this Realme, shall buy within this Realme of any stranger bozne out of the Queenes obeyssance (other then of Denizens) any printed bookes brought from any partes beyond the Sea, (except onely by engrosse) and not by retayle, he shall forsaite for euery booke so bought by retayle vi. s. viii. d. to the Queene and the partie that will seise or sue for the same by A. J. &c. wherein no W. &c. E. or P. &c. 25. P. 8. 15.

The price of
bookes en-
haunced.

3 If any Printers or Sellers of printed bookes, inhabited within this realme, do at any time in such wise enhaunce and increase the prices of any such printed bookes in sale or binding at too high and vnreasonable prices, in such wise as complaint be made thereof to the Queene or vnto the Lord Chauncelour, Lord Treasorer, or any of the chiefe Iustices of the one Bench or of the other, then the same Lordes &c. or two of any of them shall haue authoritie to enquire thereof, as well by the othes of xii. honest and discrete persons, as otherwise by due examinations by their discretions. And after the same enhaunsing, and encreasing of the sayd prices of the sayd bookes and binding, shall be founde so by the sayde xii. men, or otherwise by examinations of the sayd Lord Chauncelour, Lord Treasorer, and Iustices, or two of them, Then the same Lordes &c. or two of them at the least, shall haue power to refoyme and redresse such enhaunsing of the prices of print. d bookes from time to time by their discretions, and to limite prices aswell of the bookes, as for the binding of them, and ouer that the offender or offenders thereof being convicted by examination of the same Lordes &c. or two of them, or otherwise, shall forsayte for euery booke by them solde, whereof the price shalbe enhaunced, for the booke or binding thereof, iii. s. iiiii. d. to the Queene and partie grieved that will complaine vpon the same, in maner and fourme aforesayde. 25. P. 8. 15.

The

The Mayor and Court of Aldermen of the Citie of London, at their first Court of Aldermen, holden within the sayd Citie next after the first day of March, shall peerely appoynt and chuse viii. persons, of the most wise, discreete, and best sort of Watermen, being householders & occupying as Watermen vpon the Riuer of Thamise, betweene Grauesend & Windsor, and the same eight persons so elected shalbe called the ouerseers & rulers of all the Whirimen and Watermen, that after the sayd first day of March, shal vse or exercise any rowing vpon the sayd Riuer of Thamise, betweene Grauesend and Windsor, which said ouerseers shal keepe good order & obedience amongst the sayd Watermen, according to the true meaning of this Statute. And if any person elected to be an ouerseer, doe negligently exercise his rounch, or will obstinately refuse to take vpon him the same, then he shall forfeite to the R. & J. v. li. to be recouered by A. J. &c. wherein no W. &c. E. D. J. &c. 2 & 3. D. & P. 16.

bill. ouerseers
of watermen.

Ouerseers ne-
glecting or re-
fusing their
rounch.

2 It is lawfull to the saide viii. Rulers for the time being, and their successours from time to time, to call before them at some conuenient place by them to be appoynted, all and euery such person and persons which shall vse the sayd trade of rowing betwixt Grauesend and Windsor, and shall register the names of euery of them that shall be by them allowed or admitted for Watermen to rowe betwixt Grauesende and Windsor, in a Booke made for the same intent, and to take such further order therein with euery of the sayde parties, as it shall seeme meete by the discretion of the sayde ouerseers, and also the sayde ouerseers shall and may ouerseer, biewe, and suruey at all tymes, all Boates and whiries that shall be made, before the same be launched out of the yard or ground, wherein they shalbe made, into the sayde Riuer of Thamise, to the intent that they and euery of them may be made and prepared in such maner and fourme, and according to the goodnes, proportion and quantitie in this Acte limited. And the Mayor and Aldermen of London, and the Iustices of peace within the Shires next adioynning to the Riuer of Thamise, euery of them within their severall iurisdiccions haue aucthoritie vpon complayne made to them or any of them, by the sayde ouerseers or two of them, or the master of any seruant, not onely to examine, heare and determine all complaints & offences committed by any such person that shal offend contrary to the true meaning of this Act, & to set at large euery such person as shall be imprisoned by the sayde ouerseers according to this Act, if iust cause shall appeare vnto them so to doe: But also by their discretion to punishe, correct, and reforme the sayde ouerseers and euery of them, that shall vniustly punish any person by colour

Ouerseers shal
order & water-
men, & register
their names.

Ouerseers shal
biewe the botes
before they be
launched forth.

Botemen, Watermen, Barges, Botes. &c.

colour of this act &c. 2. & 3. P. & M. 16. S. Iustices of peace, 105.

2 Watermen
shall not rowe
but where one
of them is al-
lowed by the
ouerseers.

3 ¶ No persons where two watermen and not aboue two shall rowe together in one Boate, or whirle in any place betwixt Grauesend and Windsor, shall receyue any person into their Boate or whirle, to the intent to carie him therein, vnlesse one of the same two watermen, haue bene for the most part exercised in rowing vpon the sayde riuer of Chamise by the space of two whole yeeres before that time. And also that one of the same two watermen at the least, be duely admitted and allowed by the same eyght ouerseers, or the most part of them by wyting vnder their knowen seale, to be a sufficient and able waterman, vpon payne that euery person presuming or offending contrary to the true meaning of this act, shall by the sayd eyght ouerseers bee committed to prison in one of the Counters of the Citie of London, there to remaine one moneth or lesse as the offence shall require. 2. & 3. P. & M. 16.

No single man
shalbe a was-
termen.

4 ¶ No person being a single man, not keeping household, and not retained, shall vse to rowe betwixt grauesend and Windsor, vnlesse he be prentice, or in seruice retayned with a master by the whole yeere at the least, vpon paine of like imprisonment. 2. & 3. P. & M. 16.

The length,
breadth and
goodnes of
boates.

5 ¶ If any person shall make any whirle, or Boate, to the intent commonly to vse rowing and carping people vpon the sayd riuer of Chamise, which shall not be xxi. foote and a halfe in length, and foure foote and a halfe broade in the midshippe, or which shall not bee substantially and well able and sufficient to cary two persons on one side tight, according to the old quantitie, scantling, thicknesse of boord, goodnesse and good proportion heretofore had and vsed: Then the same boate being made contrary to the proportion and sort before expressed, shalbe taken as forsaite, and shalbe forsaite to the Queene and I. to be recouered by A. I. &c. wherein no wager &c. E. P. or I. &c. 2. and 3. P. & M. 16.

Watermen
which hide
themselves in
the time of
presting.

6 ¶ If any person which shall vse the occupation of rowing betwixt Grauesende and Windsor, which in the time of the execution of any Commission of presting, that shall be had for the seruice of the Queene, her heires and successours, in their affaires, shall willingly and obstinately hyde, or conuey himselfe in the same tyme of presting, into secrete places, and out corners, and after when such time of presting is ouerpasted, shall returne againe to the sayd riuer of Chamise, to rowe betweene Grauesende and Windsor, and that duely proued by two indifferent witnesses before the Mayor of London and Court of Aldermen, or Iustices of the peace, and two of the sayd Rulers, then he so offending shall suffer imprisonment by the space of two weekes,

weekes, and be banished any more to rowe from thenceforth vpon the said riuer of Thamise by the space of one whole yeere and a day then next following. 2. & 3. P. & D. 16.

7 **E**uery person authorized to rowe betweene Grauesende and Windsor, that shall take for his fare or labour about the prizes assessed by the Mayor and Court of Aldermen of London, and viewed, signed, and subscribed with two of the Queenes priue Counsels hands, and written and set vp in tables in the Guilde Hall, Westmin. Hall &c. shall suffer imprisonment one halfe yeere, and also shall forfeite for euery such offence to the D. & J. xl. s. to be recovered by A. J. &c. wherein no W. &c. E. P. or J. &c. for the Mayor and Court of Aldermen of London, shall from time to time assesse the summes of money that euery person authorized to rowe betweene Grauesende and Windsor shall take for his labour or fare from place to place particularly betwixt Grauesend and Windsor. 2. & 3. P. & D. 16. By the Statute made 6. P. 1. 7. there was established a certaine rate and wages that watermen shoulde take for their fare betwixt one place and another in and neere vnto the Citie of London, but it seemeth that the force of that statute is taken away by the foresayde bjaunche, Sed Quare.

What fare watermen may take.

8 **N**o person occupying any Westerne Barge, shall retayne, take or receyue into his seruice, any single person not keeping house or houtholde, but onely such as shall be retained with him by the whole pere, and no houtholder, but onely such as he will, or shall answere for his good behauiour, vpon paine of for. to the D. & J. xl. s. to be recovered by A. J. &c. wherein no W. &c. E. P. J. &c. 2. & 3. P. & D. 16. It seemeth that this bjaunche is repealed by the generall wordes of the statute of 5. Eliz. 4. which repealeth all statutes and euery bjaunche of them which touch or concerne the hiring, keeping, departing, working, wages or order of seruants, workemen, artificers, pprentices, and labourers &c. Sed Quare.

Quare. The seruants of Westerne Barmen.

9 **N**o person shall interrupt by any obstacle, let or other wise, any person or persons passing or repassing, on and vpon any of the paths being of a foote and a halfe broad, lying on euery side of the Riuer of Seuerne, and time out of minde accustomed, nor shall aske, take, or demaunde any tolle called a draught, or bottell of wine, or any other tale or imposition of any of the Queenes subiects there going in the said paths accustomed, there haling or drawing their boates, troughs, or vessels, vpon paine to forfeite for euery time that he shall interrupt any of the Queenes subiects, or aske or take any such imposition, by what name soeuer it be called, xl. s. to the Queene and partie grieved, to

Quare. Passengers vpon the bancks of Seuerne.

Botemen, Watermen, Barges, Botes & c.

to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 9. H. 6. 5. 23. H. 8. 12.

**Imposition of
Boates vpon
Seuerne.**

10 **C**Whosoever doth take any imposition of any of the Queenes liege people, for any Trowe, Boate, or other vessell for any goods or marchandizes carped in and vpon the riuer of Seuerne, or doeth bete or interrupt any Boates, Trowes or vessels so passing by the sayd Riuer, for any such imposition, or otherwise against the Queenes lawes, (Except such which by decree made betwixt xx. Januarii. An. Dom. 1503. and the Ascension day, Anno Domini, 1505. by the Kinges Counsell in the Starre Chamber obtained the same) shall forfait for every such offence xx.li. whereof the Queene shall haue two partes, & the partie that will sue by popular A. of debt, the third part, wherein no W. &c. E. P. &c. 19. H. 7. 18.

**Recompence
for hurts done
by bargeinen.**

11 **C**But any person hauing landes or medowes adioyning to the sayd water of Seuerne, may take of every person going vpon his landes and medowes, and drawing any Bote, Trowe or vessell, reasonable recompence for such hurtes as he shall sustaine by reason of any such going, or drawing, 19. H. 7. 18. except of such as shall passe or repasse vpon any of the paths of euerie side of the sayd riuer being of a foote and a halfe broad or thereaboutes, and time out of minde accustomed as is aforesaid. 23. H. 8. 12.

**Transporting
offenders into
or forth of
Wales at vns
lawfull times.**

12 **C**If any person taking vpon him to haue & keepe any passages vpon the riuer of Seuerne, do carry with any barge, boate, or other vessell, any person or persons with horses, mares, kyne, oxen, or other cattell, or any other person before the Sunne rysing in the morning, or after the Sunne being set at the night, ouer any of the said passages out of England into Wales, or the forest of Deane, or out of Wales, or the forest of Deane into England, vntill the sayde passenger hath good knowledge of such person and persons and euery of their dwelling places, and vpon request to him made by any person or persons, do disclose the name and dwelling place of euery such person & persons, so by him conueied ouer the said water to any such person or persons so requiring the same, if suite be made for and after them vpon any outcry, buy, or fresh suite of or for any felonie, robberie, murther, and manslaughter committed, he shalbe imprisoned and also pay a fine. 26. H. 8. 5. See Iustices of peace, 81.

1 The forfeiture of Botemen for carying any Corne &c. to a Ship to be transported, S. Corne, 2.

Bowes, Bowstaues.

**4 Botmen
brought in for
every Tunne
of merchandize.**

If any marchant stranger, or any seruant, atturney or factour of any of them, which will bring, sende, or conuey into this Realme any merchandize

marchandize in Caracke, Galley or Shippe, from the Citie or countrey of Venice, or any countrey from the East partes, from the lxxii. haunce townes. or from whence any Bowstaues haue bene heretofore brought, do not bring in the same shippe wherein the marchandises be, for every tunne weight of marchandize iiii. Bowstaues, he shall forfeite to the Queene & Informer vi. s. viii. d. for every default of bringing every Bowstasse, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 12. Ed. 4. 2. 13. El. 14.

2 ¶ If any marchant of Venice, or other, shall bring or conuey into this realme any Palmes or Tyre, & do not bring with every But of eyther of them x. Bowstaues good and able stuffe, he shall forfeite xiii. s. iiii. d. to the Q. and J. &c. for every But so brought, and not of the sayd number of Bowstaues with the sayd But. And the said Bowstaues shall not be solde vngarbled but to such persons as be bozne vnder the Queenes obeysance. 1. R. 3. 11.

10 Bowstaues brought in for a But of Palmes or Tyre.

Bowstaues garbled.

3 ¶ If any person vnder the age of xviij. yeeres, doe shoote in any bow of Ewe bought for him, he shal forfe. vi. s. viii. d. (except his father or mother haue landes or tenements to the peerely value of x. li. or be worth in moueables the summe of xl. markes.) 33. H. 8. 9.

Who may shoote in Bowes of Ewe.

4 ¶ If any Bowyer dwelling within the citie or suburbs of London or Westminster, or the Borough of Southwarke, wanteth by the space of twentie dayes, fiftie good and able Bowes of Elme, Witchasell, or Ahe readie made, and meete to be solde and bled, he shal for every Bowe so wanting of the foresaid number forfeite x. s. to the Queene & Informer &c. being an Armorer, Fletcher, or Bowstring-maker, to be recovered by A. J. &c. wherein no W. &c. 8. El. 10. And every Bowyer dwelling else where, which doeth not for every Bowe which he maketh of Ewe, make foure other Bowes of some other wood apt for shooting, shall forfeite for every Bowe so wanting to the Queene and Informer &c. iii. s. iiii. d. 33. H. 8. 9. 8. El. 10.

Bowes of Elme, Ahe, Witchasell.

5 ¶ If any Bowyer doe sell any Bowe meete for mens shooting being of ourlandish Ewe, and of the best sort, aboue the price of vi. s. viii. d. of the second sort aboue iii. s. iiii. d. of the course sort called liuerie Bowes aboue ii. s. of English Ewe aboue ii. s. a piece, he shall forfeite for every bowe so solde aboue the price aforesayde xl. s. to the Queene and Informer &c. being an Armorer, Fletcher, or Bowstringmaker, to be recovered by A. J. &c. wherein no W. &c. 8. El. 10. 14. El. 11. to continue in force vntill the ende of the next Parliament. S. Archerie.

The prices of Bowes.

¶ That Bowstaues brought into this Realme, shall be searched & marked, S. Corporations, 27.

Brasse

Brasse, Latten, Copper, and Bell mettall.

As brasse, latten &c. shalbe transported.

NO persons shall carry or conuey, or shippe to the intent to carrie or conuey any Brasse, Copper, Latten, Bell mettall, Pannemettall, Gunne mettall, or Shroffe mettall whether it be cleare or mixed (Tinne and Lead onely excepted) into any part beyond the sea, or into any outward dominion, vpon paine to forsaite the double value thereof, and x. li. for euery thousand weigt of the same mettall so carped, or shipped to the intent to be carped, to the Q. & I. to be recovered by A. I. &c. wherein no W. &c. E. D. &c. 2. Ed. 6. 37.

Crall of a foraine act with in this realme.

2 **T**he arriuall, discharge and deliuerie of the said mettalles in any forrayne dominion shall be tryed, and determined within this Realme in such Countie or place, where the said mettalles were shipped or first carped, with like proces, and determination, as all other informations or actions be tryed and adiudged within this Realme, or as the same fact had bene done within this Realme. 33. Hen. 8. 7. 2. Ed. 6. 37.

He shall be bound which carrieth mettalles to discharge & same within this Realme.

3 **N**O person shall ship, or carie any of the sayde mettalles prohibited by this statute, to carie or discharge the same in any part of this Realme, vlesse before the shipping thereof he doe declare to the Customer of such port or creeke, where the same mettall shalbe shipped, the true weyght of all such mettall as shall be shipped, and shall also before the shipping thereof, make a sufficient obligation in the lawe, in which he shalbe bound to the sayde Customer to the Queenes vse, in such summe as shall amount to the double value, & x. li. for euery thousande weight so declared, with condition that the same mettalles shall be discharged at some port or creeke within this Realme, and in no other place vpon payne to forsaite the same. And euery such person that shall shippe such mettalles, and shall bee bound as is aforesayde, shall within eyght moneths next after the shipping thereof, bring a true certificat from the Customer of the port, creeke or place, where he shall discharge the same, testifying that the same mettall so shipped and the true weight thereof is there discharged, which certificat the Customer of such place where the sayde mettall shall be discharged, shall vpon discharge thereof make and deliuer to the partie so discharging, or to his factor without any delay. And if the Customer or his deputie doe make a false certificat concerning the discharging of such mettall, then he shall lose his office, and the value of the goods concealed out of the sayde certificat. And if any Customer, Comptroller, or his deputie by any vndue meane will suffer any person, after the mettall is shipped or carped contrary to the meaning of this Act, to make an obligation without date for the discharge and certificat of his mettall, then such Customer so suffering or receyuing such

Customer of the port.

such obligation, shall lose his office, & the value of the mettall so shipped or carped. And if any Master, Owner, Purser, or Boteswaine of any ship do willingly permit any of the mettalls abovesayde to be shipped contrary to the tenor of this act, or else perceiuing any such mettall to be shipped, do not disclose the same within iii. dayes after knowledge had, to the Customer or Comptroller of the same port, or his deputie where the same is shipped, then he shall forfeit the double value of the same mettall, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Custome &c. 19.

Master of the ship which carrieth the brasse.

4 ¶ If the saide metall by tempest of weather be drowned, or by enemies or Pirates robbed and spoyle, and that sufficiently proued without fraud before the Customer & Comptroller or their sufficient deputies in y^e port where y^e party so shipped the metals aforesaid or any of them, by the said party or his executors, then he bringing such sufficient prooffe, shall haue his obligation to him deliuered, or else he and his executors thereof shalbe clerely discharged. 33. H. 8. 7. 2. Ed. 6. 37.

If the metall be drowned or robbed by pirates.

5 ¶ No person shall lade, shippe, or cary into any part beyonde the Sea, any of the mettalls aforesayd, but onely out of such port or creeke where the Customer or his deputie is resident and dwelling, vpon payne of forfeiture the said mettall, and x. li. for euery thousand weight so shipped or carried to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. Ed. 6. 37.

No metall shal be laden but where there is a Customer.

1 Where vessell of brasse shalbe sold, of what goodnes it shalbe, and what waight shall be thereof vsed, S. Pewter. 1. 2. 4.

Bridges.

Where it can not be knownen and proued what Hundred, Riding, Mapentake, Citie, Borough, Towne or Parishes, nor what person certain, or body politique, ought of right to make Bridges decayed, in euery such case the said Bridges (if they bee without citie or towne corporate) shalbe made by the inhabitants of the Shire or Riding within the which the said Bridge decayed shall be, and if it be within any Citie or Towne corporate, then by the inhabitantes of euery such Citie or Towne corporat. And if part of any such Bridges bee in one Shire, Riding, Citie, or Towne corporate, and the other part thereof in an other Shire, Riding, Citie, or Towne corporate, or if part be within the limits of any City or Towne corporate, & part without, or part within one Riding, & part within an other, the inhabitants of the Shires, Ridings, Cities, or townes corporate shalbe charged to make and repaire such part of such Bridges so decayed, as shall lie & be within y^e limits of y^e Shire, Riding, Citie, or towne corporat, wherein they be inhabited at the time of y^e same decayes. 22. H. 8. 5.

All remedie where it is not knownen who ought to repaire Bridges decayed.

Bridges.

The inhabi-
tants of the
shire taxed for
the amending
of decayed
Bridges.

2 ¶ In every such case where it can not be known and prooued what persons lands, tenements, and bodie polittique, owen to make and repaire such Bridges, the Iustices of peace within the Shires or Ridings wherein such decayed Bridges be, out of Cities & Townes corporat, and if it be within Cities or Townes corporat, then the Iustices of peace within every such Citie or Towne corporat, or iiii. of the said Iustices at the least, whereof one to be of the Quorum, haue power within the limits of their seuerall commissions, to call befoze them the Constables of every Towne and Parish within the Shire, Riding, City, or Towne corporat, aswel within Liberties as without, wherein such Bridges or any parcell thereof shall happen to bee, or else two of the most honest inhabitantes within every such Towne or Parish &c. by the discretion of the sayd Iustices &c. and vpon the apparance of such Constables or inhabitants, the sayde Iustices or foure of them whereof one to bee of the Quorum, with the assent of the said Constables or inhabitants, haue power to take, and set every inhabitant in every such Citie, Towne, or Parish within the limittes of their Commissions, to such reasonable ayde and summe of money as they shall thinke sufficient for the reedifying and amending of such Bridges, and after such taxation made, the said Iustices shall cause the names and summes of every particular person so by them taxed, to be witten in a roule Indented. 22. H. 8. 5.

Collectors of
every hundred

3 ¶ And the Iustices of peace haue power to make two Collectors of every Hundred, for collection of all such summes of money by them taxed, which Collectors receiuing the one parte of the said roule Indented vnder the scales of the saide Iustices, shall haue power to collect all the particular summes of money therein contained, and to distraine every such inhabitant, (as shalbe taxed and refuse payment thereof) in his landes, goodes, and cattels, and to sell such distresse, and of the sale thereof retaine, and receiue all the money taxed, and the residue (if the distresse be better) to deliuer to the owner thereof. 22. H. 8. 5.

Surueiours
which shall see
the Bridge re-
paired.

4 ¶ And the same Iustices or foure of them, within the limits of their commissions, haue power to appoint two surueiours, which shall see every such decayed Bridge repaired from time to time as often as neede shall require, to whose hands the sayd Collectors shall pay the sayd summes of money taxed & by them receiued, and every of the collectors & surueiours, their executors and administrators, &c. from time to time shall make a true declaration & accompt to y^e Iustices of peace of the Shire, Riding, Citie, or Towne corporat wherein &c. or to foure of the same Iustices, whereof one to be of the Quorum, of the receipts,

Collectors &
surueiours ac-
compt.

receipts, paymētts & expences of the said summes of money. And if they or any of them, refuse y^e to do, then the same Iustices of peace or foure of them, haue power to make proces against y^e said Collectors, Surueiours &c. and euery of them, by attachements vnder their seales, returnable at the generall sessions of the peace, & if they appeare, then to compell them to accompt as is aforesaid, or else if any of them refuse that to do, then to commit him to ward, there to remaine without baile or mainprise, till the said declaration and accompt be truly made. And the Iustices of peace, or foure of them, haue power to allow such reasonable costes and charges to the sayd Surueiours, and Collectors, as by their discretion shall be thought conuenient. 22. H. 8. 5.

5 ¶ And where any Bridge or Bridges lye in one Shire or Riding, and such persons inhabitants, bodiēs politique, landes or tenements which ought to be charged to the making and amending thereof, lie and abide in any other Shire or Riding, or where such Bridges bene within any Citie or Towne corporate, and the persons inhabitants, bodiēs politique, landes or tenements that owen to make or repaire any such Bridges, lye and bee out of the sayde Citie or Townes corporate: In euery such case the Iustices of peace of the Shire, Citie, or Towne corporate, within the which such decayed Bridges or any part thereof shall bee, haue power to enquire, heare, and determine all such anoyances being within the limits of their commissions. And if the anoyance bee presented, then to make proces into euery Shire within this Realme, against such as owen to make, or amend any such Bridges, so presented before them to be decayed to the anoyance and let of the passage of the Queenes subiectes: And to doe further in euery behalfe in euery such case as they might doe by authoritie of this act, in case that the persons landes &c. which owen to be charged to the amending or making of such Bridges, or any part thereof were in the same Shire, Riding, Citie, or Towne corporate, where such anoyance shall happen to be. 22. H. 8. 5.

Proces against the parties in another shire which should repaire the Bridges.

6 ¶ This acte shall not be prejudiciall to the liberties of the free portes, or members of the same, for reformation of anoyances of Bridges within the said portes and members, but the Warden, Maiors, and Bailifes elected, and Jurates of the same portes, and euery of them haue power to enquire, heare, & determine all maner of common anoyances of Bridges within the same portes and members, and to make such proces, paines, taxacions, and al other things within the same portes and members, as the Iustices of peace may doe in other Shires or places out of the same Portes, by vertue of this act, in euery behalfe, 22. H. 8. 5.

free portes.

Bruer, Burning, Butcher.

*Bridges becal-
ed & the High
way therein to
next adjoining*

7 **J**ustices of peace, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare & determine in their generall Sessions, of all anoyances of Bridges broken in the high wayes, and of all anoyances of high wayes which lie next adioyning to the endes of Bridges, and CCC. foote from the same distant, and to make pproses and paines against such as ought to bee charged &c. And to doe in euery thing, concerning the making, repairing, and amending of euery such high way, in as large maner as they may doe, for the making, repairing, and amending of Bridges by this acte, 22. H. 8. 5. S. Iustices of peace. 70.

Bruer.

*No Bruer shall
be a Cowper.*

If any Bruer, which buyeth Beere or Ale to sell, shall by himselfe, or other to his vse, occupie the mysterie of Cowpers, or make Barelles, Kilderkins, Firkins, or other vessels of wood, by himselfe or any of his own seruants, wherin to put his Beere or Ale to sale, hee shall forf. for euery vessel made contrary to the tenor of this act. iii. s. iiii. d. to the Q. & I. to be recovered by A. I. &c. wherein no W. &c. E. P. &c. But a Beere buyer or an Ale buyer may keepe in his seruice a Cowper, to binde, boope, pinne, and amend his vessels. 23. H. 8. 4.

*The pices of
Ale and Beere*

2 **I**f an Ale or Beere buyer doe sell or take for any barrel, kilderkin, or firkin of Ale or Beere aboue such pices and rates as shall be assessed by the Iustices of peace in the Shire, or by the Mayor, Shire, or head officer of the Citie, Borough or Towne corporate, where the sayde Ale or Beere buyer doeth dwell, hee shall forsaite for euery barrel so solde vi. s. for euery kilderkin iii. s. iiii. d. for euery firkin. ii. s. for euery lesse vessel xii. d. and for a greater then a barrel x. s. to the Q. and I. to be recovered by A. I. &c. wherein no W. &c. E. P. &c. 23. H. 8. 4. S. Iustice of peace. 78. Corporations. 12.

Burning.

*Burning of an
other man's
goods of
woods.*

Who soener doeth maliciously, willingly, & unlawfully burne, or cause to be burned, any waine, or Cart laden with another mans goods, or any heape of wood of any other persons prepared & felled for making of Coales, Billets, or Call wood, shall forsaite to the partie griued treble damages, to be recovered by accion of trespassse, and to the Q. x. li. for a fine. 37. H. 8. 6.

Butcher.

If any person being a Butcher, & vsing the mysterie of Butcherie, shall buy any fatte Oxen, Steeres, Ronts, Kine, Paicfozs, Calues,

or Sheepe, and sell, or cause to be solde the same againe on liue, hee shall forfeite to the D. and J. the same Dren, Steeres, &c. bargained or sold, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But every person being a Butcher, and vsing the myserie of Butchery, shall and may at his pleasure buy any fatte Dren, Steeres, Rontes, Kine, Haicfoys, Calues, and Sheepe, or any of them out of any open faire or market, so that he sell not nor cause the same to be sold againe on liue. 3. Ed. 6. 19. 14. El. 11. to continue to the ende of the next Parliament.

A Butcher shall not buy cattell and sell them aliue.

2 ¶ If any Butcher or other person, inhabiting within this realme, Wales, or the marches of the same, doe kill or cause to be killed any yong sucking Calfe to bee solde, or put to sale to any person whole or by retaile, which shall be calued betwixt the first day of January, & the first of May, he shall forfeit for every Calfe so calued, killed, and put to sale vi. s. viii. d. to the D. & J. to be recovered by A. J. &c. wherein do W. &c. E. P. &c. 24. H. 8. 7. 14. El. 11. to endure untill the ende of the next parliament.

Calues fallen betwene January & May.

3 ¶ If any Butcher or other person inhabiting within this Realme, Wales, or y^e Parches of the same do kill, or cause to be killed any weanling Bullocke, Steere, or Heicfoz, being vnder the age of two yeeres, to the intent to sell the same whole or by retaile, hee shall forfeit to the D. and J. for every such wainling killed, and put to sale vi. s. viii. d. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 24. H. 8. 9. 14. El. 11. to endure to the end of the next parliament.

Butchers shall kill no wainlings.

4 ¶ If any Butcher or other person shall kill any Calfe to sell, being vnder v. weekes olde, he shall forfeite for every Calfe so killed, vi. s. viii. d. 5. El. 8.

Butchers shall kill no Calues vnder five weekes olde,

5 ¶ If any person occupying the craft of a Butcher, doe vse by himselfe or any other, the occupation of a Tanner, he shall forfeite for every day that he shall vse the seate of a Tanner, vi. s. viii. d. 5. El. 8.

No Butcher shall be a Tanner.

6 ¶ No Butcher or his seruant shall kill any beast within the scalding house in London, or within the wall of London, vpon paine to forfeite for every Dren, and for every Cowe and other beast viii. d. to the D. and him that will sue by A. of debt, where no E. P. &c. And this Act extendeth and shall be obserued in euery Citie, Borough, and Towne walled within England, and in the Towne of Cambridge, (the Townes of Berwike and Carlisle excepted) 4. H. 7. 3.

Butchers shall not kill cattell within any walled towne.

7 ¶ A Butcher that selleth swines flesh mised, or flesh dead of the moien, (after he shall be conuicted thereof) for the first time he shall be grievously amerced, the second time he shall be indged to y^e Pillory, the third time he shall be imprisoned and make fine, and the fourth time he

A Butcher shall not sell mised or moieine flesh.

Butter & Cheefe, Buttes, Captaines &c.

Cookes.

shall forswear the towne. And in this manner shall it be done of all that offend in like case, as of Cookes that see the flesh or fish any wayes that is not hollesome for mens body, or after that they haue kept it so long, that it loseth the naturall hollesomes, then see the it againe and sell it, 51. H. 3. 51. E. 1.

1 That Butchers shall not gash any hides. S. Leather, 1.

2 That Butchers shall not conspire to sell their vitailles at certain prices, S. Artificers, 1.

Butter and Cheefe.

Butter and
cheefe bought
so to be sold againe

If any person doe buy to sell againe, any Butter or Cheefe, vnlesse he sell the same againe in open shoppe, faire, or market, and not in grosse, but by retails, (that is to say a wey of Cheefe, or a barrell of Butter or lesse quantitie and not aboue, solde at one time) or except he be an Inholder, or vitailer, which vtereth the same Butter or Cheefe by retails in his house, he shall forfait to the Queene, and Informer double the value of the Butter and Cheefe so solde, to be recouered &c. wherein no W. &c. E. 1. 3. E. 6. 21. 14 Eliz. 11, to endure to the ende of the next parliament.

1 That no Butter or Cheefe shalbe transported to any forraine region without the Queenes licence, S. Corne, 1.

2 For the weight of a wey of Cheefe, S. Weightes, 6.

Buttes.

The inhabitants in euery Citie, towne and place, are compellable to make and continue Buttes, vpon paine to forfait for euery iii. moneths so lacking, xx. s. And the saide inhabitants shall exercise them selues with long Bowes in shooting at the same, and else where, in holy dayes and other times conuenient, 33. H. 8. 9.

Captaines, Souldiours, Musters,

Souldior making
away his
horse or harnesse.

If any souldior seruing the Q. in her warres, in any her dominions or on the sea, beyond the sea, or in Scotland, do sell, giue away, or wilfully purloine, or otherwise exchange, alter, or put away any Horse Gelding or Mare, or any harnesse wherewith he shalbe set forth, then he (vpon due prooffe, or testimony to be taken before the Lieutenant, his Admirall, or Queenes Deputie, vice Admirall, Warden or Captaine, & in their absence before any of their deputies) shalbe imprisoned by the same Lieutenant, or any other before named, there to remaine without baile or mainprise, vntill he hath satisfied to his owner of the Horse, Gelding, Mare or harnesse, so by him sold, purloyned, exchanged &c. (And also the said sale made by such souldior to any person knowing him to be

be a souldior, shalbe void against him & set forth the said horse, harneis, & weapon. 4. & 5. P. & P. 2.) And if such souldior so offending, fortune to escape from the Lieutenant, & other the foresaid persons, without & punishment & restitution aforesaid, then & same souldior vpon complaint made by & party griued, or his executors or administrators, vpon due prooffe thereof to bee made, to any Justice or Justices of peace in the parties where such souldiour shall bee found, shall bee by such Justice &c. committed to ward, there to remaine without bayle or mainprise, vntill he hath satisfied the partie griued, his executors, or administrators, of, or for such horses, geldings, mares and harneis so by him wilfully lost, exchanged &c. 2. E. 6. 2. S. Justice of peace 84.

2 ¶ But if the said souldiour bring any sufficient warrant or testimony before & said Justice, from the said Lieutenante or any of the persons aboue named, in writing vnder the seale of any of them, testifying that the same horse or harneis were lost in the Queenes seruice, against the wil of the saide souldior, or that the same horse or harneis were taken by the same Lieutenante, or any of the others before named from the same souldior for any reasonable respect, and appointed to some other to serue in the place of the said souldiour, then every such souldiour not bringing to the owner the said horse, & harneis, shall bee discharged thereof against the said owner, & then every such souldior, to whom the said horse or harneis shall bee appointed as is aforesaid, (not bringing home to the owner the saide horse, and harneis after he shalbe discharged) shall suffer like paine as is aforesaid. 2. E. 6. 2.

If the horse or armour be lost in seruice or appointed to another.

3 ¶ If any souldiour, man of armes, or archer which hath taken parcel of his wages of his Captaine, hath mustered, and is entred of record the Queenes Souldiour, (or any mariner or gunner taking prest of wages, to serue the Queene, her heires or successours on the sea. 5. El. 5.) doeth not passe the sea, or goe with his Captaine (except notorious sickness, or impediment by Gods visitation doeth stay him, which he shall immediatly certifie to his Captaine, and repay his money) or else being in the enemies countrey in garrison, or else where in the Queenes seruice where hee is appointed to serue, doeth depart without licence of the Queenes Lieutenante, deputie, high Admirall, vice Admirall, warden, Captaine, or in their absence of their deputies, then hee shalbe taken, iudged and executed as a felon. 18. H. 6. 19. 2. E. 6. 2. 4. & 5. P. & P. 3. Where the souldiour attainted shall lose the benefit of his Clergie. S. Clergie. 9. And where his Sanctuarie. S. Sanctuarie. 22.

A souldiour or gunner departing from his captaine without licence.

4 ¶ If any Captaine appointed to haue the order of any number of Souldiours, vnder any other higher officer, doe for any cause li-

A captaine licensing a souldiour to descease part,

Captaines, Souldiers, Musters.

tence any souldier in his retinue, to depart from the feld, or for-
tresse where they shall be appointed to serue without the specfall as-
sent and licence in writing of the Lieutenaut, Deputy, high Admi-
rall, vice Admirall, Warden, Captaine, or in their absence of their
deputies, hee shall forfeite to the Queene for euery such Souldier so
licenced to depart, xx. li. to bee leuyed of his goods and cattels, and if
any Captaine doe giue to any of his Souldiers, appointed to serue vn-
der him, in any towne or fortesse kept with garison of souldiour, any
licence or pasporte to depart from his seruice, but onely the Lieute-
nant or others before named, the captaine and souldiour so offending,
shall bee imprisoned at the discretion of the said Lieutenant or others
¶ c. 2. Ed. 6. 2.

*If Captaine
doth discharge
one appointed
to serue the
Queene.*

5 ¶ If any commissioner or captaine to whome the Queene shall
direct her commandement by commission, or letters, for the leuying or
setting forth of any men to serue in her warres, shall for any rewarde
or lucre, discharge any person by him appointed to serue the Queene
as Captaine, souldiour, or psoner of his seruice so appointed, and doe
assigne any other person in his stead, for any lucre or gaine, then he so
offending shall forfeite to the Q. for euery such default, of euery man
so discharged xx. li. to be leuyed of his goods and Cattels. 2. Ed. 6. 2.

*If captaine des-
manding more
wages then
there is cause.*

6 ¶ If any Lieutenaut, deputie, Admirall, warden, Captaine, &c.
hauing the order of any number of souldiours seruing vpon the sea, or
land, doe demand, receiue, or take of the Queene or any of her treaso-
rers, any wages for any more souldiers, then serued in such maner
& forme, as the wages was payed for, or for any more dayes then such
Souldiers serued, and doe not note the day of euery souldiours entry
into wages, & day of his death and departure, and deliuer the same to
such Treasurers as shall paye the sayde wages euery moneth in wi-
ting, so as the trueth of the number of the souldiers may appeare to
the Queenes Treasorer, & master of the Musters, for the time being:
Then enery such Lieutenaut, Deputie, Admirall &c. so offending, shall
forfeite to the Queene for euery such default, v. li. & bee imprisoned by
the space of a moneth, and lose his office and rounth. But no Lieute-
nant, or other person aforesaide shalbe charged or preiudiced for lacke
of his number retained, for, or concerning any souldier which shall
happen to die during his seruice, or to bee sicke by the visitation of
God, or that shall depart against the will of his Lieutenaut or &c. vn-
lesse it shalbe in default of any of them. 2. Ed. 6. 2.

*Retaining of
wages.*

7 ¶ This statute is not preiudiciall to the Lieutenaut, or any other
the said persons, or any other, nor any of them, hauing vnder them re-
tinue of souldiours for not paying the Queenes wages to their hous-
hold

hold seruants, and others to whom they shall dayly finde & giue meate and drinke, during the sayd seruice of warre, or for detaining any part of any of the souldiours wages, toward, or for the payment of vitayles, harnets, weapons, or for any prest money prouided and deliuered to any such souldiour. 2. Ed. 6. 2.

8 ¶ It is lawfull to euery Lieutenant, Deputie, Admirall &c. to retaine in his owne handes to his owne vse, of the wages of his souldiours, these summes folowing, that is to say vi. s. viii. d. for the liuery, or coate of euery yeoman souldiour, xiii. s. iiii. d. for the liuery or coate of euery gentleman souldiour for a whole yeere. 2. Ed. 6. 2.

Causes to retaine the souldiours wages

9 ¶ This statute doeth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the ayde, helpe, or reliefe of the same person, being commanded by the Queene to serue in warres, or otherwise to finde men on horsebacke or on foote, aswel within this realme as without, nor for the gift, rewarde, ayde or helpe reserued, or couenāt to bee payed or giuen to any person appoynted to serue in warres, or to finde horse or men to serue, by reason of any grant, couenant, reseruacion, custome or tenure. 2. Ed. 6. 2. But no person shall by colour hereof exact, demand, or leuy any summe of money, horse, armour or other thing, other then shall bee imployed forthwith in the present seruice of those warres of the Queenes, for which it was leuyed, the which summe of money, horse, armour or other thing, or as much thereof as shall not be spent, lost or consumed in the sayd seruice, shall be restored to such person as payed and deliuered the same, vpon the penalties & forfeitures aforesaide. 4. & 5. R. & H. 3. Quere what these forfeitures be.

Reliefe of friends or tenants toward seruice in war.

10 ¶ If a Lieutenant of an army doeth not in euery field vnder his charge, proclayme the whole effect and contents of this act euery moneth, and euery of the Queenes Deputies and Captaines of any fortresse, proclayme it within his charge once euery quarter of a yeere, he so offending, shall forfeit 7. li. 2. E. 6. 2.

Quere. Proclamation of this Act.

11 ¶ Euery person giuing to the Lieutenant, or the others aboue named, true information of any offence aboue remembred, shall haue for his labour one moneths wages of him that shall be found faultie, to be payed by the hand of the treasurer, vpon warrant of the Lieutenant or &c. 2. Ed. 6. 2. 4. & 5. R. & H. 3.

The reward of the Informer.

12 ¶ If any person which shall be commanded, generally or specially, to muster before any such as shall haue auctoritie or commaundement for the same by or from the Queene, her heires or successors, or by any Lieutenant, warden or other person, auctorised for the same, doeth willingly absent him selfe from the same muster, hauing no true

Absenting from the musters or not bringing his best furniture.

and

Captaines, Souldiers, Musters.

and reasonable excuse of sicknesse or other lawfull impediment, or at his apparance at such musters doeth not bring with him such his best furniture, aray & Armour, as he shall then haue for his owne person in a readinesse, he shall for euery such offence suffer x. dayes imprisonment without baile or mainprise, by the commandement of such as shall haue authoritie to take the same musters, vnlesse he doe agree with the said Commissioners, or two of them to pay to the vse of the Queene &c. for euery such offence xl.s. for a fine, which fine after the agreement for the payment of the same, shall be certified and estreated into the Eschequer, by such as haue power to take the said musters, or two of them vnder their seales, within two moneths next after such agreement, & then shall be leuied as fines assessed by Iustices of Assise or gaole deliuerie in their circuites are vsed to be. 4. & 5. P. & P. 3.

Dwellers in Cities shall be mustered only within a same.

13 **I**f any person inhabiting within any Citie, borough, or towne corporat, being a countie of it selfe, or in which any Iustices of peace bee or hereafter shall be by charter, shall be compellable by vertue of this Act, to make his apparance with such furniture as is aforesaide, at any muster to bee had or taken out of the suburbs, precinct or liberties of the same Citie, Borough or towne, nor before any person or persons authorized by Commission or otherwise as is aforesayde, vnlesse the Maior, or other head Officer of such citie, Borough or towne, and one other discrete inhabitant of the same at the least, bee ioyned in the same Commission or other authoritie with the same person or persons so authorized. 4. & 5. P. & P. 3.

Muster masters taking reward to discharge others.

14 **I**f any person which shall be commanded by the Queene, her heires, or successors, by Commission, letters or otherwise, authorized to leuy muster, or make any men to serue in her warres, or otherwise for the defence of this Realme, do by any meane exact, leuy, receiue, or take, or cause to be taken any money, or other rewarde or thing whatsoever of any person for seruice in the warres, or that shall bee appointed, named, or mustered to serue in any such seruice, or for the sparing, or discharging of such person from the saide seruice, then he shall forfeit x. times so much as hee shall receiue, exact or take, to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. But this Acte doeth not take away or discharge any tenant or Farmer of his seruice or couenant towards his lord, for the finding of horse, armour or weapon, or for doing of seruice by himselfe, or by any other (which by the tenure of his land otherwise he is bound to do) but he shall doe, perdue, and pay the same &c. as before he should. 4. & 5. P. & P. 3.

A Captaine doth liue his souldiours to depart or doth not pay their wages.

15 **I**f any Captaine, petit Captaine, or other hauing charge of men, for seruice in warre, shall for any aduantage or gaine by him to be

be receiued, discharge or licence any of the men or souldiours (appointed to serue in the warre vnder his rule, or order) to depart from the same seruice, or shall not pay vnto his souldiours and to euery of them their full & whole wages, conuite, & coat money, within x. dayes next after he shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall forfeite for euery such offence x. times the value of the thing so receiued to the Q. & A. to be recouered by A. J. & c. wherein no M. & c. E. or P. & c. and shall also pay to euery such souldiour from whome he shall withhold any such conuite or coate money, treble the summe so withholden. 4. & 5. P. & M. 3.

10 **C** If any offence touching Captaines, petty Captaines or other hauing charge of men, shall be committed during the time that any army or number of men, being vnder a Lieutenant, shall be assembled & continue together, or by any Captaine & c. that shall serue any Lord, Warden, or other chieftaine, then vpon complaint thereof, the Lord, Lieutenant, warden, or other chieftaine, during the time of his commission, shall and may heare, order and determine the same offences by his or their discretions. And if any Captaine, petty Captaine & c. shall be once couicted or ordered by vertue of this Act, for any offence aforesaid, he shall not be estones vexed, troubled, sued or conuicted for the same offence. 4. & 5. P. & M. 3.

By whom offences shall be reformed.

An offence but once punished.

Castles, Fortresses.

I f any person do within this Realme, or else where, vnlawfully and of his owne auctoritie, imagine, conspire, practise or deuise, by any practise or meanes, with force or by craft, deuice or sleight, maliciously and rebelliously to take or keepe from the Queene any of her Castles, Towers, Fortresses, or holdes: or maliciously & rebelliously to raze, burne, or destroye any Castle, Bulwourke or Fort, or any parte of them, hauing any munition or Ordnance of the Queenes therein, or appoynted to be garded with any souldiours for defence thereof, within any of the Queenes dominions, or the marches of the same: And the same compasses, practises, or deuices, or any of them, shall and do aduisedly, by any expresse words, speech, act, deede, or writing, expresse, vtter, or declare, for any of the malicious and rebellious intents aforesaid, Then he thereof being conuicted, shall be adiudged a Felon, and so shall his Ayders, counsaillers, comforters, consentors, and abettors knowing thereof. 14. Eliz. 1. That the offender herein shall not haue his Clergie. S. Clergie. 2. That he shall not haue his sanctuary. S. Sanctuarie. 17.

Conspiring to take or destroy any of the Queenes Castles or Forts.

2 **C** If any person do with force, maliciously and rebelliously detainee, keepe or withhold from the Queene any of her Castles, Towers,

Withholding the Queenes Castles or Shippes.

Castles, Fortresses, Cattell.

ers, fortresses or holdes within any her dominions, or marches of the same, or any of her shippes or binance, artillerie, or other munitions or fortifications of warres, and do not tender and giue vp the same to her Maiestie, or to such person as she shall appoynt to receiue the same to her vse, within five dayes next after he so offending shalbe commanded by the Queenes proclamations vnder the great seale of Englande to be made in any place or market towne within the Countie where any such offence shalbe committed, Or shall wilfully, maliciously and rebelliously burne, or destroy, or cause to be burned or destroyed, any of the Queenes ships, or maliciously and rebelliously barre or cause to be barred any hauen within her Graces dominions, Then he being thereof lawfully conuicted, according to the lawes of this Realme, shall be adiudged a Traitor, and so shall his ayders, counsaillors and abettors, and their offences in any of the premisses shalbe adiudged high Treason. 14. El. 1. to endure during the Queenes life.

Castell ward.

3 ¶ No Constable shall distraine any man to giue any money for the keeping of a Castell, if he will do it himselfe, or procure any sufficient man for him. And if the Queene do carie him with her, or send him vnto her warres, he shall be free from Castell warde during the time that he is in the Queenes host, for that fee for y^e which he did Knights seruice in the armie. Magna Charta. 9. H. 3. 20.

1 What purueiance, and in what maner shall be made to vitaille a Castel, S. Purueiours, 6.

Cattell.

Buying of cattell and selling within five weekes.

¶ If any person doe buy any Oxen, Rontes, Steers, Kine, Heicfors. Calues, Sheepe, Lambes, Goates or Kiddles, liuing, & sell the same againe aliue, (except he keepe and feede the same by the space of v. weekes in his owne house, ground, farme, or in such ground where hee hath the herbage or common of pasture by graunt or prescription) hee shall forfeite the double value of the Cattell or thinges so bought and solde againe, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 14. 13. El. 25.

No cattell shal be bought but in the faire or market.

2 ¶ If any person doe buy, or commune, and conclude to buy any Oxen, Steeres, Rontes, Kine, Heicfors or Calues, but onely in the open faire or market, where the same shall happen to be brought, and put to sale, (except it be for the prouision of his houtholde, teeme, or Dairy, or except it be a Butcher which shall not sell the same againe alpue) or shall sell the same againe on liue, at or in the Market or fayre where he bought the same during the time of the sayd Fayre or market, he shall forfeite the double value of the Cattell &c. so bought or solde, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c.

&c.

§c. E. 3. §c. 3. Ed. 6. 19. 14. El. 11. to endure to the ende of the next Parliament.

3 If any person which shall keepe or feede aboue the number of vi. score share sheepe, for the most part of the yeere vpon his pastures, lands, feedings or farmes which be continually seuerall and meete for milch Kyne, (and wherein no other person 21. Octob. An. Do. 1555. had common for Cattell any time of the yeere) do not keepe for euery iii. score share sheepe, one milch Cowe, & for euery sixe score share sheepe reare by peerele one Calfe, so long as he shall keepe or feede the sayde number of vi. score share sheepe, hee shall forsaite for euery Cowe not kept for euery moneth xx. s. And for euery Calfe not reared xx. s. to y^e Queene and Informer, to bee recovered within one yeere after the offence &c. by accion, information, &c. wherein no W. &c. E. 3. §c. 2. & 3. P. & P. 3. 13. El. 25.

10 shill. viij. d.
A Cowe shal be kept for 60.
sheepe and a Calfe for 120.

4 If any person which doeth keepe or feede vpon his seuerall pastures aboue the number of xx. Oxen, Rontes, Steeres, Scrubs, Heictors, or Kine, doe not for euery x. beastes keepe one milch Cowe, and for euery two Kine, weane and reare by peerele one Calfe (except it chaunce to dye) hee shall forsaite Vt supra. Prouided that no person shall be compelled to keepe any Kyne, or reare any Calues for such sheepe or other beastes which hee keepeth and feedeth onely to be spent in his house, 2. & 3. P. & P. 3. 13. El. 25.

10 cowe for ten beastes feede, & for two kine a calfe.

1 That no Butcher shall buy any Cattell & sel them againe alieue S. Butchers, 1.

2 Within what time Cattell may be put into coppies woods, See Woods, 22.

Certificat of Conuictes.

If any Clerke of the Crowne, Clerke of the Peace, or Clerke of Assise where any atteinder, conuiction or outlawry of felonie, shalbe before the Iustices of Peace, Gaole deliuerie, or oyer and determiner, doe not certifie a brieft transcript, containing the tenour and effect of euery Indictment, outlawry, conuiction, Clerke attaint, that is to say, the name, surname, and addicion of euery person so indicted & thereupon outlawed, conuicted, or Clerke attaint, and the certaintie of his felonie, or other offence, and the day and place when and where it was done, the day and place of his outlawry, conuiction and attainer, into the Kings Bench, within fourtie dayes next after such attainer, conuiction or outlawry, (if the terme then be open,) and if not, within xx. dayes next after the beginning of the Terme next following the sayd xx. dayes: The said Clerke before whom such atteinder, outlawry, or conuiction, &c. shalbe made, shall forsaite for euery such default of not certifying,

Certificat into the kings bench of euery outlawry, attainer and conuiction.

Certificat of Conuicts. Cessauit.

The Clerke of
the Crowne
shal receive the
certificates.

certifying of euery such Record, xl.s. to the Queene and Informer, to be recovered by A. J. &c. wherein no M. E. or P. &c. And the Clerke of the Crowne in the Kings Bench shall receive the same certificates & transcripts whensoever they shalbe tendered vnto him by any of the aforesayde Clerkes of the Crowne, of the Peace, or of Assise, or their depuies, vpon paine of forfaiture of xl.s. for euery certificat by him refused. 34. H. 8. 14.

The names of
those onely
which be at-
tainied, conuic-
ted &c. shalbe
certified,

2 But if there be more persons named in any such Indictment, other then such person attainied, conuicted or outlawed, then the sayde Clerkes shall certifie the transcript of such Indictment, outlawrie, or conuiction, onely concerning such person or persons, so indicted and attainied, outlawed, or conuicted into the Kinges Bench, which transcript so certified, shall bee taken as effectuell in lawe, to all intents against such person against whome it shall be objected or pleaded, as if the very Record thereof, (whereupon he was indicted) were present. 34. H. 8. 14.

Clerke of the
Crowne shall
certifie the
name of con-
uictes to the
Justices,

3 If the Clerke of the Crowne in the Kinges Benche for the time being do not incontinently, and without delay certifie to the Justices of Gaole deliuerie, and Justice of peace, of euery Countie of this Realme, (which shall write vnto him for the same) the names and surnames of such persons which be so attainied by outlawrie, Clerks attainied, or conuicted, and certified into the Kinges Benche, and the causes why, and wherefore they were attainied or conuicted, hee shall forsaite for euery name so written for, and not certified by him to the said Justices, xl.s. 34. H. 8. 14.

No certificat
out of Wales,
Chester, Lancas-
ter, Durham,

4 This Act shall not extende to the Clerke of the Crowne, Clerkes of the peace, Clerkes of Gaole deliuerie, neither to any of the prebendaries within the Counties of Wales, & Chester, or within the Counties Palatines of Lancaster, and Durham, or any of them, to make any transcript of any such attainder, conuiction, or outlawrie of any person conuicted, attainied, or outlawed before the Queenes Justices of her Counties of Wales nor Chester, or Countie of Lancaster, Durham, or any of them, but the same Recordes shall and may remaine in the custodie of the said Clerkes and prebendaries in such manner as they are, 34. H. 8. 14.

Cessauit.

Cessauit as
gainst tenant
by fee farme.

If a man do let his landes to farme, or to finde Estouers in vitaille or cloathing, which amounteth to the fourth part of the very value of the lande, and he that holdeth the lande so charged letteth the same lie fresh, so that a man can finde no distresse by the space of ii. yeeres, so compell the Farmour to do or yelde that which is contained in the writing.

writing, after the two peeres past the lessour shall have an Action out of the Chauncery to demand the lande in demesne. And if he against whom the land is demaunded, come before Judgement, and render the arrerages & dammages, and find such suertie as the Court shal thinke sufficient, to pay from thenceforth that which is contained in the writing of lease, he shall retaine the land: And if he cary vntill it be recovered by Judgement, he shalbe barred for euer after. Glo. 6. Ed. 1. 4.

2. ¶ In like sort, if a man do detaine from his Lord his due and accustomed seruice by the space of two yeres, the Lord shall haue an action to demaund the land in demesne. And in both these cases, the heire of the demandant shall haue a writte of Entre against the heire of the tenant, and against them to whom the land shalbe aliened, Westm. 2. 13. Ed. 1. 21. There see the fourme of the writ of Cessavit.

Cessavit by the Lord against his tenant.

Challenge.

NOne of the petit Jurie, nor other parties named in any Bill of Attaint sued in the Hustinges in London (holden for common pleas before the Mayor and the Aldermen vpon any vnttrue verdict giuen in any of the Courtes of the sayd Citie,) shall or may haue any Challenge to the array, or to any person or Doll therein beyng impanelled, for lacke of sufficient goods or landes. 11. Hen. 7. 21. S. Attaint. 14.

Challenge in a bill of attaint, sued in London.

2. ¶ Every person being a Citizen of the Citie of London, and in value of goods and cattelles to the summe of foure hundredeth markes, may be impanelled & returned by the Sherifes of the sayd citie, in every Attaint brought by writ by vertue of the statute of 23. H. 8. vpon verdictes giuen by the Citizens of the sayd citie without any Challenge for the insufficiencie of freeholde of any of the, to be made by any of the parties in such attaint, 37. H. 8. 5. S. Attaint. 14.

Challenge in a writ of attaint, sued in London.

3. ¶ It is a principall Challenge in any of the Courts within the Citie of London in any suite where the lands or tenements, or action personall, wherein the debt or dammages amounteth to xl. markes or aboue, that the partie impanelled in the Enquest hath not lands, tenements, goods or cattels, to the value of one hundred markes, if it be alledged by any of the parties and so found. And no person shalbe impaneled, summoned or sworne in any Jury or Enquest, in Courts within the same citie, except he be of landes, tenements, or goods and cattels to the value of xl. markes. 11. H. 7. 21.

Challenge in London where the thing in demand is worth xl. markes.

4. ¶ The Challenge commonly called (Riens deins le gard) within the Citie of London, shalbe no Challenge, but utterly voyde. 7. Hen. 7. 4.

Riens deins le gard.

Challenge.

Challenge for
the Queene.

5 ¶ If a man Challenge a Iurie, or a Turour for the Queene, he shall shewe cause of his Challenge forthwith, which cause shall immediately be tryed by the Iustices discretion, whether it be true or not. 33. Ed. 1.

Challenge of
the Indictor.

6 ¶ No Indictor shall be put in the Enquest vpon the deliuerance of the partie indicted of Trespasse or felonie, if he which is indicted doeth challenge him for that cause. 25. Ed. 3. 3. S. Iurours. 3.

Challenge
where þing
in demaund is
worth xl.
markes.

7 ¶ It is a good Challenge for the partie, where an Enquest is taken vpon the death of a man, or betwixt partie and partie in any plea reall or personall, where the debt or dammage doeth amount to xl. markes, to say that any impaneled hath not lands or tenements to the perely value of xl. shillings aboue all charges. 2. H. 5. 3. But this statute is to be intended onely of Enquestes to be had betwixt Denizen and Denizen, and not where trial is to be made Per medietat. lingua, where an Alien is one partie, according to the statute of 28. Ed. 3. 13. 8. Hen. 6. 29. And euery person beyng the Queenes naturall subiect borne, which by any name doeth enioy þe liberties of any citie, borough or towne corporat, where he dwelleth and maketh his abode, being worth in moueable goods to the cleare value of xl. li. shall be admitted in trespall of murders and felonies in euery Sessions and Gaole deliuerie holden for the Liberties of euery such citie, borough or towne corporat, albeit he hath no freehold, 23. H. 8. 13.

Inhabitant of
townes corporat.

Challenge by
one arraigned
by special com-
mission.

8 ¶ If a Commission of Oyer and determiner be directed into any Countie for the trial of any person which doth confesse any treason, misprision of treason, or murder to thre of the Queenes Counsell, or is vehemently suspected thereof, no Challenge for the Shire or hundred shall be allowed vnto him. But the Challenge of any Iuror for lacke of freeholde of the peerele value of xl. shillings shall be allowed. 33. H. 8. 23. Neither shall he haue any Challenge to the hundred, which is arraigned for any offence committed vpon the sea, or in any other place, where the Admirall hath iurisdiction, before Commissioners thereunto aucthorized by the Queenes Commission vnder the great seale. 28. H. 8. 15.

Challenge by
arraignment
of Piracie.

Challenge by
one arraigned
for offence co-
mitted within
the verge.

9 ¶ He that is arraigned of treason, murder or manslaughter committed within the verge, shall haue no maner of Challenge to any of the Iury, (malice onely excepted) 33. H. 8. 12. Neither he which being the Queenes seruant swoyne, and whose name is in the Chequer roule of the Queenes household, vnder the degree of a Lord, which is arraigned for conspiring with any other to destroy any Lord of this realme, or any other swoyne to the Queenes Counsel, or the Steward, Treasorer or Comptroller of the Queenes house. 3. H. 7. 14.

Challenge by
one that con-
spirerh any
Lords death.

10 **C** Peremptorie challenge shall not be allowed in any cases of high treason, or misprision of high treason, 33. Hen. 8. 23.

No peremptorie challenge in treason.

11 **C** No person arraigned for any Petit treason, murder, or felonie shall be admitted to any Peremptorie challenge about the number of xx. 22. H. 8. 14. 32. H. 8. 3.

No peremptorie challenge in murder, felony

12 **C** The partie indicted and arraigned of any of the offences prohibited by the Act (prouided An. 23. El. against seditious wordes and rumours vttered against the Queene) shall haue aduantage of all maner of Challenges to the Iurie; as in triall of felonie is vled, 23. El. 2. S. Newes, 8.

Challenge.

Seditious wordes.

13 **C** If he which is impleaded for lande by any ecclesiasticall person, doth make default, whereby iudgement ought to be giuen against him, if the Court doe inquire by Iurie of the Countrie, whether the demandant had right in the lands demanded or not, euery Loide of whom the same lands be holden shall be allowed to challenge the Iurors of the same inquisition, and so shall any man for the Queene that will. West. 2. 13. Ed. 1. 33.

Challenge by an inquisition of collusion.

Cheshire. Chester.

The lawe and administration of Justice, and all other things in the Countie of Chester in times past vled to be had at the shire dayes, shall be holden, had, made, done, & executed by the Justicer of the said Countie for the time being, at two times in the yeere onely, that is to say, at the Sessions next after Saint Michael, and at the Sessions next after Easter, during so many dayes at euery of the sayde times as neede shall require, in like maner and forme, as it is vled and executed in the Countie palentine of Lancaster. 32. Hen. 8. 43. And the said two Sessions shall and may be holden at such time and times, as by the sayd Justice or his Deputie shall be appointed, aswell before the said feastes of Easter and Michaelmas, as any other time, according as is commonly vled in other shires of this Realme, so alwayes open proclamation bee thereof made, by the space of fiftene dayes at the least before the first day of the keeping of the same Sessions. 33. Hen. 8. 13.

Sessions kept in Chester two times in the yeere.

2 **C** The Countie palentine of Chester shall haue two knightes for the said Countie, and two Cittzens to be burgeses for the Citie of Chester, to be elected for euery parliament by proces awarded by the Chaunceloz of England, to the Chamberlaine of Chester, his lieutenant, or Deputie, And like proces to be made by the saide Chamberlaine or ec. to the Sherife of the Countie of Chester. And the election shall be made, in like maner and forme to all intents as is vled in

Two knightes and two Burgeses for the Parliament in Chester.

Chester. Cheshire.

other shires and Cities, and euery of the sayde Knightes and Burgessees so elected, shalbe returned into the Chauncery of Englande by the sherife in due forme, vpon like payne as other sherifes of other shires, &c. And euery of the saide Knightes and Burgessees shall haue like voyce, authoritie, liberties, priuiledges, wages, fees, and commodities as other Knightes and Burgessees of the same Court of parliament enioy, vse, and haue. 34. H. 8. 13.

An inhabitant
of the Countie
of Chester com-
mitteth felonie
or murder in
an other shire.

3 **I**f any person of the Countie of Chester, resiant in the same Countie, doe commit any murder or felonie in any place out of the same Countie, proces shalbe awarded against him by the Common lawe vnto the exigent, in the Countie where the offence was committed, And if he flee from thence into the Countie of Chester, and be outlawed for the said murder, or felonie, the same outlawrie or exigent shalbe certified vnto the officers of the Countie of Chester, and the felon shalbe taken by the same officers, and his lands, tenements, goods and cattels, within the same Countie of Chester, shalbe seised as forfait to the Queene or him which shalbe Lorde of the said Countie of Chester for the time, And the Queene shall haue the yeere, day and waste, and the other lands, goods, &c. of such felon, being out of the said Countie, shalbe forfait to the Queene and other Lordes which haue franchises. And in the same maner it is of any person of the sayd Countie, resiant or dwelling in the same Countie, which committeth Bateria, or other trespass in an other Countie, and then fleeth into the Countie of Chester, his goods shalbe forfait, &c. and if he be outlawed, the outlawrie shalbe certified to the same officers of Chester, and his person shalbe taken, and his goods and cattelles shalbe forfait &c. Vt supra, 1. Hen. 4. 14.

Protection.

1 That no protection shalbe graunted to any person within the Countie of Chester, without the Queenes speciall warrant. S. Protection, 5.

Proclamations

2 For proclamations vpon Exigents, to be awarded against any person dwelling in the Countie palentine of Chester or the Citie of Chester, S. Exigents, 6.

Deputies.

3 That euery sherife of the Countie of Chester and of the citie of Chester, shall haue a deputie in the Kings Benche, and common place. S. Exigents, 7.

Fines.

4 That fines may be leuied before the high Iustice of Chester, his deputie or lieutenant, of lands being within the countie palentine of Chester, S. Fines, 13.

Tales.

5 That a Tales de circumstantibus is grautable in the countie of Chester, where a full Iurie doth not appeare, S. Iurors, 21. 23.

6 In what sort, and by whom the commission of Sewers shalbee directed within the fees of the countie palentine of Chester, *Sewers.*
S, Statutes, 18. 19.

7 For statutes to be acknowledged before the Maior of Chester. *Statutes.*
S, Statutes, 1.

8 Howe offices found in the countie of Chester, shalbe receiued and certified into the court of wards, *Offices.*
S, Offices, 7.

9 That two Coroners shalbe for Cheshire, and for their authoritie, *Coroners.*
S, Coroners, 20.

10 For inrolments of bargaines and sales of landes in the countie of Chester, *S, Inrolments.* 4. 5.

Cheirographer, and Custos Breuium.

The Cheirographer of the Common place, his farmour, deputie or lieutenant, shall not take any more then *iiii. s.* for any fine leuiued in the same Court, And if the farmour, deputie, or lieutenant, doe take any more, he shall forfeit his office, bee excluded the same Court, suffer one yeeres imprisonment, and pay to the partie griued his treble dammages, and the partie griued shall haue his suite, befoze the Iustices of the same Court, 2. Henrici 4. 8. Westminster. 2. 13. Edwardi 1. 44.

The Cheirographers fee, upon euery fine.

2 All writtes of Couenaunt, and all other writtes whereupon fines shalbee leuiued, with the writtes of Dedimus potestatem (if any bee) with all knowledges, and notes of the same, befoze that they be drawn out of the Common place by the Cheirographer, shall bee inrouled in a roule to bee of record for euer, to remaine in the safe custodie of the chiefe Clerke of the common place, and of his successors for the olde fee of *xii. d.* accustomed to bee payed to the chiefe Clerke, for the entring of the recorde of euery fine, without paying any more, to the intent that if the notes in the Custodie of the Cheirographer, or the fines bee imbeasiled, a man may haue recourse to the sayde roule, to haue execution, as he should haue, if the fines were not imbeasiled.

Inrouling of writs in the common place whereupon fines be leuiued

5. H. 4. 14.

1 That the Chirographer shall make a table containing the content of euery fine, & what he shal haue for the same, *S. Fines.* 25.

A referment.

Citation.

If any person bee cited, sommoned, or otherwise called to appeare, by himselfe, or his procurator, befoze any ordinarie, Archdeacon, Commislarie, officiall, or other Iudge spirituall, by vertue of his office, or at the suit of any person, out of the Dioces or peculiar Iurisdiction, no person shall be cited to appeare out of the Dioces where he dwelleth.

H. ii.

diction.

Exceptions.

diction, where the partie cited, sommoned, or called, dwelled at the time of the same Citation awarded, the sayde ordinarie, Archdeacon, &c. shall forsaite to the partie so cited double dammages, and costes for vexation, to bee recouered by A. of debt, or A. vpon the case, by A. B. P. &c. and also shall forsaite x. pound to the Queene and Informer, to bee recouered, by A. J. &c. wherein no W. &c. E. P. &c. (except it bee for any spirituall offence, or cause committed, done, forslowen, neglected, or committed by any Bishoppe, Archdeacon, or other person hauing spirituall Iurisdiction, or being a spirituall Iudge, or by any other person within the Dioces, or Iurisdiction, whereunto hee shall bee cited, or otherwise lawfully called to appeare and answer, or except it bee by or vpon matter or cause of appeale, or for other lawfull cause, wherein any partie shall finde himselfe griued or wronged by the Ordinarie, Iudge, or Iudges of the Dyoces or Iurisdiction, or by any of his substitutes or ministers, after the matter or cause there first commenced and begonne, to bee shewed to the Archbishoppe or Bysshop, or any other hauing peculiar Iurisdiction, within whose Prouince the Dioces or place peruliar is, Or in case that the Iudge dare not, or will not conuent the partie to bee sued before him, Or that the Bishoppe of the Dioces or the Iudge of the place, within whose Iurisdiction or before whom the sute by this Acte shoulde be commenced and prosecuted bee partie directly, or indirectly to the matter or cause of the same suit, Or that any Bysshoppe, or any inferior Iudge, hauing vnder him Iurisdiction in his owne right and title, or by commission, doe make request, or instance to the Archbishop, or other superiour ordinarie or Iudge, to take, treat, examine, or determine the matter before him or his Substitute, And that to bee done in cases onely where the Ciuill or Canon lawe doch affirme execution of such request or instance of Iurisdiction, to bee lawfull or tolerable, Or except it bee for testaments to bee prooued before the Archbishop of Canterbury, by reason of his prerogatiue, or for Testaments to bee prooued before the Archbishop of Yorke, within his Iurisdiction, by reason of any prerogatiue. 23. H. 8. 9. 1. El. 1.

Archbishops
may cite for
heresie.

2 It is lawfull for any Archbysshop of this Realme to cite, call, and summon any person dwelling in any Bysshoppes Dioces within his prouince, for causes of heresie, if the Bysshop or other ordinarie immediat thereunto consent, or doe not his duetie in the punishment of the same. 23. H. 8. 9. 1. El. 1.

iii. d. for the
seale of a Citation.

3 If any Archbysshoppe, Bysshop, Ordinary, Officiall, Commissarie or other person hauing spirituall iurisdiction, or any substitute or minister of his doe aske, demande, take or receiue moze then

iii. d.

iii. b. for the seale of any Citation, he shall pay to the partie of whome
 &c. double damages and costes, And shall forfait for enery offence x.
 pound to the Queene and Informer, &c. to be recouered by A. J. &c.
 wherein no W. &c. E. P. &c. 23. H. 8. 9. 1. El. 1.

Clergie.

NO person shall haue the priuiledge of his Clergie which shall be Entpurs.
 indicted, or appealed for felonious taking of any money, goods,
 or Cattels from the person of any other, priuily without his know-
 ledge in any place whatsoeuer, and thereupon founde guiltie by ver-
 dict of xii. men, or shall confesse the same vpon his arraignment, or
 will not answere directly to the same according to the lawes of this
 Realme, or shall stand wilfully, or of malice, or obstinately mute, or
 challenge Peremptorie aboue the number of xx. or shalbe vpon such
 indictment or appeale outlawed. 8. El. 4.

2 **N**O he which vniawfully conspireth, compasseth, imagineth, Detaining the
Queenes Cas-
tels.
 practiseth, or deuiseeth by any meanes with force, sleight, or device, to
 take, or keepe from the Queene any of her Castles, Towers, fortres-
 ses, or holdes, or maliciously and rebelliously to rase, burne, or de-
 stroy any Castell, Bulwarke, or Fort, or any part of them, hauing
 munition or ordinance of the Queenes therein, or appointed to be
 garded with Souldiers for defence thereof, within any of the
 Queenes dominions, or the marches of the same, and the same con-
 spiracies &c. aduisedly by expresse act, words, or writing doth declare,
 for any of the malicious and rebellious intents aforesaid. NO he which
 is an ayder, counseller, comforter, consenter or abettour, knowing
 thereof, to any such offender, and is of any of the sayde offences law-
 fully conuicted. 14. El. 1. to endure during the Queenes life, S. Ca-
 stels. 1. Felonie. 4.

3 **N**O he which being a vacabound of the age of xviij. yeeres Vacabondes,
 or aboue, and being marked, or adiudged to bee burned through the
 gristle of the right eare, and vpon his second conuiction of his rogish
 life is taken by some person into seruice, from whome he departeth
 within two yeeres against his will that tooke him. NO he which being
 twice conuicted as a vagabonde, doeth fall the thirde (or more after
 time) to a rogish life, and is thereof indicted and conuicted. 14. El. 5.
 18. El. 3. S. vagabonds. 5. Felonie. 5.

4 **N**O he which doth practise inuocation, or coniuration of wic- Coniuration,
 ked spirits for any intent, or witchcraft, enchantment, charme, or
 soyerie, whereby any person shalbe killed, or destroyed. NO he which
 doth the second time practise witchcraft, enchantment, charme, or witchcraft.
 soyerie, W. iii.

Clergie.

soyerie, whereby any person shalbe consumed, or lamed in his bodie, or member, or whereby any goods of any person shalbe wasted or impaired, being once convicted of the saide offence before. Noz which is an aider or counsellor to any of the sayd offenders, and is of any of the sayd offences lawfully convicted. 5. Eliz. 16. S. Coniuration. 1. 2. 3. Felonic. 6. 7. 8.

Buggerie.

5 **C** Noz he which doth commit buggerie with mankind or beast, and is thereof convicted by verdict, confession or outlawrie. 25. Hen. 8. 6. 5. Eliz. 17.

**Commaunders
ment of felo-
nies.**

6 **C** Noz he which doth maliciously commaunde, hire, or counsell any person to commit petit treason, or wilfull murder, or to doe any robberie in any dwelling house, or in, or neare any high way, or within the marches of England, against Scotlande, or wilfully to burne any dwelling house, or any part thereof, or any barne then having coyne therein, and is thereof outlawed, or otherwise attainted, or convicted, or being arraigned, do stand mute of malice, or do challenge peremptorie above xx. or will not answer directly to such offence. 4. and 5. H. and H. 4.

**Attainted
where goods
were caried.**

7 **C** Noz he which is indicted, arraigned and attainted, or refuseth lawfull triall in a Countie where he was taken with the maner, and whereunto the goods stolen in a forreigne Countie were conveyed, if so be that he might not haue had his clergie in the other countie where the goods were stolen. 25. Hen. octau. 3. 5. Edwardi sexti. 10.

**Forger of
deedes.**

8 **C** Noz hee which being once convicted, or condemned of any of the offences prohibited by the statute provided. 5. Eliza. against the forging of evidences and writings, by any of the wayes in the same statute limited, shall after any his such condemnation, eftsoones commit any of the sayd offences in fourme in the sayde statute expressed. 5. El. 14. S. Forger, &c. 4.

Souldier.

9 **C** Noz any Souldier serving the Queene in her warres, in any of her dominions, or on the sea, or beyond the sea, or in Scotland, or in any Garison, which departeth without licence of the Lieutenant, high Admirall, Viceadmirall, Warden, or Capitaine, and in their absence, of their Lieutenants. 2. Edwardi sexti. 2. S. Capitaine. 3.

**Rape, bur-
glary.**

10 **C** Noz he which is attainted by confession, verdict, or outlawrie for any felonious Rape, ravishment, or Burglarie, or for unlawfull and carnall knowledge, and abuse of any woman childe vnder the age of tenne yeeres. 18. El. 6.

Egyptian.

11 **C** Noz any person of the age of fourteene yeeres or above, calling

calling himselfe an Egyptian, or being in company with them, or counterfeiting, or disguising himselfe by his apparell, speech or other behauour like vnto the bacabonds calling them selues Egyptians, and so doeth continue, at one, or seuerall times by the space of a moneth. 1. & 2. P. & P. 4. 5. El. 20. S. Egyptians. 2.

12 ¶ Noz any person which is attainted of any of the offences Clergie, made felonie by the statute prouided. 23. El. 2. against seditious words & rumors vttered against the Queenes Maestie. 23. El. 2. S. Newes. 5. 6. 7.

13 ¶ Noz hee which doeth commit any wilfull murder, or wilfull popsoning of malice prepensed, Noz which doeth robbe any person, in or neere vnto the high way, Noz which doeth steale any horses, geldings or mares, (or any horse, gelding, or mare. 3. Ed. 6. 33.) Noz which doeth feloniously take goods, out of any Church or Chappell. Noz which doeth breake any house by day or by night, any person being in the same, and thereby put in feare, or doeth robbe any person in any part of his dwelling house, or dwelling place, & owner or dweller in the same house, his wife, children, or seruants, being then within the same house or place, where the robberie was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping. Noz which doeth robbe any person being in a tent or booth, in a faire or market, the owner, his wife, children, or any seruant then being within the same booth or tent, whether they then and there being, shalbe sleeping or waking, and is of any of the saide offences in due forme of lawe attainted, or convicted, or being indicted or appealed of any of the same offences, and thereupon founde guiltie by verdict, or shall confesse the same vpon his arraignment, or will not answere directly according to & lawes of this Realme, or shall stande wilfully, or of malice mute. 23. P. 8. 1. 32. P. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9.

Wilfull murder, poisoning
Robbing in highways.
Stealing of horses.
Robbing of Churches.
Robbing of houses.

Robbing of booties.

14 ¶ In all other cases of felonie, other then such as bee before mentioned, euery person which shall bee arraigned, or founde gyltie vpon his arraignment, or shall confesse the same, or shall stand wilfully or of malice mute, or will not answere directly, shall haue and enjoy the priuiledge of his Clergie and sanctuarie, in like maner, as he should haue done before the 24. April. An. 1. P. 8. 1. Ed. 6. 12.

Clergie allowable in all other cases.

15 ¶ Euery person (not being within orders) which once hath bene admitted to the benefit of his Clergy, being eftsoones arraigned of any such offence, shall not be admitted to haue the priuiledge of his Clergie, And euery person conuict shall bee marked by the Bayloz openly in the Court before the Judge. 4. Henrici. 7. 13. Such as

Clergie allowable but once.

A conuict person marked by the Bayloz of the Church.

Clergie.

be within holy orders shall bee and stande vnder the same paynes and dammages for their offences &c. and bee vsed and ordered to all intents, as other persons not being within holy orders shall be. 28.H. 8.1.32.H.8.3. Attamen vide, 1.Ed.6.12. § 1. & 2.H. and H.8. &c. &c.

Quere,

Bigamus allowed his clergie.

Quere.

16 **C** Every person by any statutes or lawes of this Realme ought to haue, or bee admitted to the benefite of his Clergie, shall be admitted to his Clergie, although hee hath bene sundry times married to any single woman, or single womē, or to any widowe or widowes, or to two wiues or mo. 1.Ed.6.12.

Hee that is allowed his clergie shall answer to former offences, wherein clergie is not allowed.

17 **C** Every person, which shall vpon his arraignment, for any felony bee admitted to his Clergie by the lawes of this Realme, and shall before the same admission haue committed any other offence, whereupon Clergie by the lawes and statutes is not allowable, and not being thereof before indicted, and acquitted, convicted or attained, or pardoned, shall and may bee indicted, or appealed for the same, and thereupon ordered, and vsed in all thinges according to the lawes, in such maner as though no such admission of Clergie had bene. 8.El.4.

A Lord of the parliament,

18 **C** In every case where any of the Queenes subiectes may vpon his prayer haue the priuiledge of Clergie, as a Clerke conuict, that may make purgation, in all those cases, and also in every case of felonie wherein the priuiledge of Clergie is taken away by the stat. of 1.Edward.6. wilfull murder, and poysoning of malice pre-pensed onely except (videlicet for breaking any house &c. robbing any person in or neere vnto a high way, stealing of Horses, or robbing any Church or Chappel.) A Lord of the Parliament, and Peere of the Realme, hauing place and voyce in Parliament, shall of common grace vpon his request, alleadging that hee is a Lord or Peere of the Realme, and claiming the benefite of this statute though hee can not reade, without any burning in the hande, losse of inheritance, or corruption of bloud, bee taken, & vsed for the first time, onely as a Clerke conuict, which may make purgation, without any further, or other Priuiledge of Clergie, to any such Lord, or Peere, from thenceforth at any time after, for any cause to bee allowed. 1.Edward.6.12. But in all other cases where Clergie is taken away, by any statute made since 1.Ed.6. it seemeth that a Lord of the Parliament is in the same case as another inferiour person. Sed Quere.

Quere,

Clergie allowed without deliuerie to the ordinarie.

19 **C** Every person which shall bee admitted to haue the benefite of his Clergie, shall not thereupon be deliuered to the Ordinarie, as hath bene accustomed, but after such Clergie allowed, and burning

ning in the hande, shall forthwith bee enlarged, and deliuered out of prison by the Iustices before whome such Clergie shall bee graunted. But the sayd Iustices shall and may for the further correction of such persons to whome Clergie shall bee allowed, deteine them in prison for such conuenient time as the same Iustices shall thinke conuenient, so as the same doe not excede one yeeres imprisonment. 18. El. 6.

20 **E**uery person which shall bee admitted to haue the benefite of his Clergie, shall notwithstanding his admission to the same be put to answer to all other felonies, whereof he shall bee indicted, or appealed, and not being thereof before acquitted, convicted, attainted or pardoned, and shall in such maner and forme bee arraigned, tried, adiudged, and suffer such execution for the same, as hee should haue done (if as Clerke conuict) hee had bene deliuered to the Ordinarie, and there had made his purgation. 18. El. 6.

Yee that is allowed his clergie shall answer to all other felonies.

Clerke of the market.

The Clerke of the market of the Queenes house, shall take no common fine, but euery person which is founde in default touching the same office, shall bee punished according to his desertes. The sayd Clerke shall ride but with sixe horses at the most, and shall not tarie in any towne, or other place, longer then the necessitie of his businesse doeth require, and if hee doe any thing contrary to this statute, and is thereof duly convicted, hee shall pay to the Queene at the first time £.s. at the second time .x. li. and at the third time xx. li. 13. Rich. 2. 4. The Clerke of the market shall haue all his weights and measures signed according to the standarde of the Elchequer with him, when hee goeth to assay weightes and measures, And he nor none other shall vse any other weight or measure, decimo sexto Richardi secundi. 3.

Clerke, &c. shall take no common fine.

The Clerke shall haue his weightes with him.

Clerke &c. of the Queenes house shall vse his office within the verge & none other.

2 **I**n all places where so euer the Queene in her owne royall person shall come to rest, tarie, abide, or make her repose within any her dominions within libertie or without, there and within the verge limited and accustomed to her court, during the time of her abode, her graces Clerke of the market, and none other during the same time, as well within libertie as without, shall exercise the office of a Clerke of the Market, any priuiledge, graunt, allowance, or other thing to the contrarie thereof notwithstanding: But this shall not bee preiudiciall to the citie of London, but the sayde citie may vse such liberties as they might before. 27. H. 8. 24. 32. H. 8. 20.

Clerke of Assise. Clerke of the signet, &c.

NO Clerke of Assise during the onely time of the Session, of or for any assises or Nisi prius, shall bee of counsell with any person within any circuit, whereof he shall be clerke of assise, otherwise then to that office onely appertaineth, vpon paine to forfait for euery time offending to the contrary. x. li. to the Q. and P. griued, to bee recovered by A. J. &c. wherein no W. C. P. &c. 33. W. 8. 24.

I That the Clerke of assise may execute his office in the countie where he was borne or doth dwell. S. Iustices of Assise, 2.

Clerke of the signet or priuie seale.

The Clerkes fees for warrants.

Euery Clerke of the signet and priuie seale, shall take for his writing of a warrant vpon a bill of Tailles of reward xii. d. for the writing of a warrant for the gift for euery office x. d. for the writing of a warrant for a pension, annuities or wages, twenty pence, for the writing of a warrant for a speciall liuery or other perpetuities six shillings eight pence, for writing of a warrant vpon euery byll for a Conge de-lier, Royall assent, restitution of temporalities, donatiues, aduocations, presentations, or other ecclesiasticall matter iii. s. iiii. d. for the writing of euery warrant vpon a Placard, Licence, Pardon or Sherifes reward ii. s. for the writing of euery warrant vpon a Dentzen. iii. s. iiii. d. for the writing of a warrant for keeping of an Idiot x. d. for the writing of a warrant for keeping of a ward iii. s. iiii. d. and no clerke of the signet or priuie seale shall take for the writing of any warrant aboue specified more large fees, then before is appointed, vpon paine to forfait x. pound to the Queene and Informer to be recovered by Accion Information &c. wherein no Wager &c. E. 6. Protection &c. 27. Henrici octau. 11.

Clerke of the Peace.

Custos Rotulorum shall appoint Clerke of the peace.

Euery Custos Rotulorum, for the time being, shall at all times in euery shire of this Realme, Wales, and other the Queenes dominions, marches, and territories of the same, assigne euery person which shall bee Clerke of the peace, within any of the sayde shires, dominions, marches, & territories of the same, & graunt the same office of the Clerkshippe of the peace to such able person instructed in the lawes of this Realme, as shall bee able to exercise the same, to enioy the same during the tyme that the sayde Custos Rotulorum shall exercise the sayd office of Custos Rotulorum, so that the sayde Clerke demeaneth him in the sayd office iustly and honestly, and it shall bee lawfull to euery such grauntres of the sayde Clerkshippe to occupie the same office by himselfe, or his sufficient deputie instructed in the lawes of this Realme, so that the same deputie bee admitted by the

Clerke of the peace may make a deputy

said

said Custos Rotulorum, to be sufficient and able to exercise, and enjoy the same office. 37. H. 8. 1.

1 The fees of the Clerke of the peace for every recognisance & licence graunted to every badger, lader, drouer, &c. S. Badger, 3.

2 For the Clerke of the peace his fee, and duety, for the Inrolment of any deede. S. Inrolments, 2.

Collectour.

Every graunt, patent, or writing that shalbe made to any person by any Archbishop or Bishop alone, or by any of them, and confirmed by Chapter seale of the office of Collectourship of the tenths peereley due to the Queenes Maestie within the Diocesse and Bishopricke of the grauntoz, by reason of the statute of first frutes and tenths, shall abide in his force no longer time then the grauntoz shall remaine Archbishop or Bishop of the same Sea, whereof hee was possessed at the time of his sayd graunt, any confirmation of the sayde graunt, custome, lawe, or statute, &c. notwithstanding. 7. Edw. 6. 4. 1. Eliz. 4.

1 Howe collectours of dismes accompting in the Eschequer may be charged in the same, or other courtes, to answer to other. S. Accomptants to the Q. 42.

2 That the lands, goods, &c. of vnder collectours of tenths and subsidies be chargeable to the Q. for the satisfying of their receipt. S. Accomptants to the Q. 40. 41.

3 Collectours for the repairing of Bridges, their receipt, charge, and accompt. S. Bridges. 3. 4. 5.

4 The duetie, receipt, charge, and accompt of the collectors for the poore. S. Poore, 2. 5. 6. 21. 25. 26.

5 For the duetie, receipt, charge, and accompt of collectors for the making of prisons. S. Prisons, 1. 2.

Commissions, Commissioners.

Where a commission is directed to any person to heare and determine, or to enquire and certifie, which Commissioners neuer knewe of the sayde Commission, neither yet the same ever came to their handes, if the same Commissioners be distrained by proces forth of the Eschequer for issues lost by reason of the saide commission, they may take their othes before the Barons of the Eschequer of their excuse, and discharge of the receipt or occupying of the sayd commission: and also the Barons of the Eschequer and the Justices of the one Bench, and the other, haue power by writ of Deditur

Commissioners
not receiuing
the commissi-
on discharged
upon their
othes.

Commissions, Commissioners,

mus potestatem, to receiue such othes in the countrey, and thereof to certifie the Barons into the Eschequer, whereupon the Barons shall discharge the said Commissioners: and in like sorte it shall be done, for the heires, executoys or land tenants of the sayde Commissioners: But such othes shall not be taken but in cases of commissions to heare and determine, and to enquire and certifie. 7. Henrici. 4. 11.

Commissioners
for the decay of
houses and til-
lage.

2 ¶ If the commissioners or foure of them at the least, to whom a commission vnder the great seale of England is directed, to enquire and make search of the offences committed against the statutes made 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. (concerning the decaye of houses of husbandrie and tillage, and whether any person to whome any penaltie or forfeiture is giuen by the sayde statutes or any of them, haue taken the benefite of the sayde forfeiture) doe not within thre moneths next after such enquirie and searche, make certificate thereof and of their doings, by vertue of the sayde Commission, into the Chauncerie, vnder their handes and seales, euery of them shall forfeite to the Queene, her heires and successours xx. li. 5. El. 2. 14. El. 11.

3 ¶ The same commissioners or two of them at the least, haue authoritie to direct their precept to the Sherifes of the Countie being within the limites of their commission, to warne as many honest men of his hapliwicke as the said commissioners shall appoint, by whom the trueth in the premisses may best be knownen, to enquire and true presentment make of all offences committed contrarie to the sayde acttes, or any of them, and to set such reasonable fines and amercementes vpon such persons as shall make default of their apparances, or making their apparances, shall neglect to doe their dueties in and about the execution of the premisses, as to the sayde Commissioners or foure of them shall bee thought conuenient, so that the sayde fines or amercementes for one default exceede not xx. s. And the same fines &c. shall be yeerely estreated into the Eschequer, to be leuied to the Queenes vse, 5. El. 2. 14. El. 11. to continue vnto the ende of the next Parliament.

Bankrupts. 1 For the authoritie of Commissioners which are to enquire of Bankrupts, and what they shall doe in euery respect. S. Bankrupts. S. 2. &c.

Sewers. 2 For all the authoritie of the Commissioners of Sewers, and what in each respect is to be done by force of the sayd commission. S. Sewers. 1. &c.

Purueiours. 3 In what cases commissions shall bee directed to enquire of purueiours behauiour. S. Purueiours. 18.

4 Where

4 Where one commission of the peace shall not be a superseas Commission of peace.
to another, S. Iustice of peace, 105.

5 For Commissions to enquire of offences done vpon the sea, and Piracie.
for the commissioners authoritie, S. Piracie. 1. 2. 4.

6 That purueyours shall shewe their commissions to them, of Purueiours.
whom they take any thing, S. Purueiours. 3.

7 For the substance, forme, and continuance of commissions Purueiours,
graunted to purueyours, S. Purueiours. 25. 26. 27. 31.

8 Where commissions shall bee graunted to enquire of Iustices Riots.
of peace and Shiriffes defaultes, for not enquiring of Riots, S.
Riots, 6.

9 In what cases Treasons may bee tried in any Countie, by the Treason,
Queenes speciall commission, S. Treason. 9.

10 In what case a commission shalbe graunted to enquire of the Villaines.
misdemeanor of villaines, S. Villaines. 1.

11 In what case a commission shall be graunted vpon an Appeal Appales.
out of an Archbishops court, S. Appeales. 5.

12 That no suite before certeyne Iustices and Commissioners
shall be discontinued by a newe commission, S. Discontinuaunce of
proces, 6.

13 For Commissions vpon appeales vpon ciuil or marine causes
S. Appeales, 8.

14 For the commission for executing spirituall Iurisdiction and
the commissioners authoritie, S. Queene. 3.

15 For commissions to enquire of concealments made by offi-
ces accomptable in the Eschequer, S. Accompt to the Q. 46.

Condition, Couenant.

AS well all and euery person & persons, and bodie polittike, their Grauntee of reuerfions shal
heires, successors & assignes, which haue any gift or graunt of king take aduantage
Henry the eight, by his letters patents, of any Lordships, Manors, of condicions
Lands, Tenements, Rents, Parsonages, Tithes, Portions, or any and conuents
other hereditaments, or of any reuerfion or reuerfions of the same, against the
as also all other persons being grauntee or assignee, to or by the lessee.
said king, or to or by any other person or persons, then the sayde king
H. 8. and the heires, executors, successors, and assignes of euery of
them shall and may haue, & enioy like aduantages against the lessee
their executors, administrators, and assignes, by entre for non pay-
ment of the rent, or for doing of waste, or other forfaiture, and also all
and euery such like, and the same aduantage, benefite, and remedies
by accion onely, for not performing of other condicions, couenants,
or

Condition, Couenant, Condiſe.

of agreeementes contained and expreſſed in the indentures of their ſayde leaſes, demiſes, or graunts, againſt all and euery the leſſees, fermors, and grauntees their executors, adminiſtrators and aſſignes, as the ſayde Leſſors, or grauntors them ſelues, or their heires or ſucceſſours ought, ſhoulde, or might haue had and enioyed at any tyme, 32.H.8.34.

Leſſees ſhall haue the ſame aduantage againſt the grauntees in reuerſion, that they might haue had againſt the grauntors.

2 ¶ All fermors, leſſees, and grauntees, of Lordſhips, Manors, Landes, Tenements, Rents, Parſonages, Tithes, Portions, or any other hereditaments for terme of yeeres, life, or liues, their executors, adminiſtrators and aſſignes, ſhall & may haue like action, aduantage, and remedie againſt all and euery perſon and perſons and bodies politique, their heires, ſucceſſours and aſſignes, which haue or ſhall haue any gift or graunt of any perſon or perſons of the reuerſion of the ſame manors, landes, tenements, and other hereditaments ſo letten, or any parcell thereof, for any condition, couenant or agreement contained, or expreſſed in the Indentures of their leaſe and leaſes, as the ſame leſſees, or any of them might & ſhould haue had againſt the ſayde leſſors and grauntors, their heires or ſucceſſors (all benefices and aduantages of recoueries in value, by reaſon of any warrantie in deed, or in law by voucher or otherwiſe only excepted) 32.H.8.34.

Condiſe.

If any perſon doe wilfully, maliciously, & unlawfully cut, or cauſe to be cut out the head or pipe of any condiſe of any other perſons, he ſhall loſe to ſ party grieued treble damages, to bee recovered by action of treſpaſſe, and ſhal forſait to the R.x.li. for a fine. 37.H.8.6.

Coniuration, Enchantment, Witchcraft.

Coniuration is felony.

The uſe, practiſe, or exerciſe of any Inuocations, or coniuurations of euil and wicked ſpirits, to, or for any intent, or purpoſe is felony, & the offenders, their aidors & counſellours be felons. 5.El.16.

Witchcraft whereby any perſon is killed.

2 ¶ The uſe, practiſe, or exerciſe of any Witchcraft, Charme, or Sozterie, whereby any perſon ſhall be killed, or deſtroyed, is felony, and the offenders, their aidors and counſailors be felons. 5.El.16.

Witchcraft whereby any perſon ſhall be lamed or his goods deſtroyed.

3 ¶ If any perſon ſhall uſe, practiſe, or exerciſe witchcraft, enchantment, charme or ſozterie, whereby the body or member of another ſhall bee waſted, conſumed, or lamed, or his goods or cattels deſtroyed, waſted, or impaired, or ſhall bee counſelling or aiding to the ſame, he ſhall for the firſt offence bee impryſoned a whole yeere without baile or mainpryſe, and once euery quarter of the ſaid yeere, ſtand vpon the pillory, vpon ſome market or faire day by the ſpace of ſixe houres,

houres, and shall openly confesse his errour and offence. And for the second offence being as is aforesaid lawfully convicted or attainted, he shall suffer death as a felon, Saving to the wife of any offender in felony by this statute her title of dower, and to the heire and successors his title in inheritance, succession, and other rights, as though no such attainder had bene. 5. El. 16.

The inheritance
and wives,
dower saved.

4 ¶ If any person shall take upon him by witchcraft, enchantment, charme or sorcery, to declare in what place any treasure of gold or silver might be found in the earth, or other severall place, or where things lost or stolen should be founde, or become, or shall practise by enchantment, charme or sorcery, to the intent to prouoke any person to unlawfull loue, or to hurt or destroy any person in his body, member, or goodes, and being thereof lawfully convicted, he shall for the first offence be imprisoned by the space of a peere without bayle or maynprie, and shall once every quarter of the said peere stand upon the pillory upon the market or faire day sixe houres, and confesse his offence openly &c. and so being once convicted, he shall for his second offence being thereof convicted, forfeite to the Queene all his goods and cattels, and be imprisoned during his life. 5. El. 16.

Declaring by
witchcraft,
where any
treasure, or
stolen things
be, and prouo-
king to loue.

1 That clergie is taken away from him which is attainted of coniuration, witchcraft, &c. S. Clergie. 4. 21.

2 The penaltie for seeking to knowe by witchcraft, coniuration, calculation &c. how long the Queene shall liue or raigne. S. Newes. 7.

Conspiracie.

Conspirators be they which binde themselves by othe, covenant, or other aliance, that every one shall helpe and mayntaine others purpose, failely, and maliciously to endite, or to moue or mayntaine suites, And also that cause Infantes to appeale others of felonie, whereby they are imprisoned and much grieved, And such as retayne men in the Countrey with lueries, or fees, to mayntaine their lewde enterpises, and to subuert the trueth, aswell the takers as the giuers, And Bailifes and Stewards of great Lords, which by their seigniorie, office, or power, doe vnder take to mayntaine or vpholde other quarels or suites, then such which concerne their Lordes, or themselves, 33. Ed. 1.

Who be con-
spirators.

2 ¶ A man shall haue a writ out of the Chauncery against conspirators, false Informers, and Imbraceours of Assises, Enquestes, and Iuries, and also Iustices of eyther Benche, and of Assise, when they come into the Countrey to take Assises, shall make enquirie thereof upon any mans playnt without writ, and shall without delay

The punish-
ment of con-
spirators.

doe

Conspiracie, Conuocation, Corne and Graine.

due right to the plaintifes. 28. Ed. 1. 10.

Conspiracie
vpon appelles,
ac. of felonie
committed in a
place supposed
where there is
no such.

3 **C** Appelles and Inditeiments of treason and felonie supposed to be done in places where there be no such places in the same Countie, be voyd, and also the p[ro]ces thereupon awarded: And they which be indicted or appealed may haue a writ of conspiracie agaynst their Inditors, P[ro]curors, & Conspirators, & shall recouer their dammages, and the Inditors, P[ro]curors, and Conspirators shalbe impysoned, make fine and ransom to the Queene by the Iustices discretion. 9. H. 5. 1. 18. H. 6. 12.

1 For conspiracies or agreements made by Artificers, touching selling their vitailles or doing their workes. S. Artificers. 1. 2.

Conuocation.

The Clergie at
the conuocation
shall haue such
liberties as
they which
come to the
parliament.

All the Clergie which be called to the Conuocation by the Queenes writ, and all their seruants and familiars, shall fully vse, and enioy such libertie, or defence in coming, tarrying and returning, as the great men, and commons of the Realme haue, or are wont or ought to enioy, which are called to the parliament. 8. H. 6. 1.

The Clergie
shall not put in
vye any consti-
tutions with-
out the Queenes
assent.

2 **T**he Clergie, nor any of them shall presume to attempt, alledge, claime, or put in vye, any constitutions, or ordinaunces prouinciall or synodall, or any other Canons, nor shall enact, promulge, or execute any such Canons, constitutions, or ordinaunces prouinciall by what soeuer name or names they may be called in their conuocations (which alwayes shall be assembled by aucthoritie of the Queenes writ) vnles the same Clergie may haue the Queenes rovall assent, and licence to make, promulge, and execute such Canons, constitutions, and ordinaunces prouinciall or synodall, vpon payne of euery of the sayd clergy doing contrary to this acte, and being thereof conuict to suffer imprisonment and make fine at the Queenes will. 25. H. 8. 19. 1. Cl. 1.

Assemblies for
religion shalbe
onely within
England.

3 **N**o person resiant in any of the Queenes dominions, shall depart out of the sayd dominions to or for any visitation, congregation, or assemblies for religion, but all such visitations, congregations, and assemblies shall be within the Queenes dominions. 25. H. 8. 21. 1. Cl. 1.

Corne and Graine.

No Coine,
Butter, Cheese,
Beere, Hery-
ring, Wood,
shalbe trans-
ported with-
out licence.

NO person shall transport out of this Realme, by any Shippe, Crayer or other vessell, into any place beyond the seas, or into Scotland, any Wheate, Rye, Barly, or other coine or graine, growing within this Realme, or any Haule made within the same, or any Beere, Butter, Cheese, Perring, or Wood, (except onely, to and for

for the victualing and furniture of Berwicke, and the Marches of the same) without lawfull auctoritie so to doe, vpon paine that the owner of the sayde Cozne, Butter, Cheese, Herring and Wood, to forf. the double value of the same so caried, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. And the master and mariners of euery of the sayde shippes &c. for euery such offence to forsaite all their goods, and to be imprisoned one whole yeere without bayle or mainprise, And the owner of the sayde Shippes &c. to forsaite to the Q. and Informer. &c. the sayd Ships, Crayers, and other vessels, with all their apparels to them belonging, wherein the sayde cozne &c. shall bee so transported. 1. and 2. P. and D. 5. But no forfeiture of Shippe, Crayer or other vessel, or of any apparell of the same, nor any other penaltie, shall be extended agaynst any owner of any Shippe, Crayer or other vessel, for the transporting of any cozne or other things aforesaid, vnles the same owner shall be witting, knowing, aiding, or consenting to the prohibited transporting. 5. Cl. 5. But it is lawfull to any of the Quienes subjects to transport out of this Realme in the vessels of any subiectes with crosse sayles euery kinde of Herring and sea fish, to be taken vpon the Seas by any of the sayde subiects. 5. Cl. 5. 13. Cl. 11. S. that in the foresayd statute of 1. & 2. P. & D. 5. the transporting of cozne &c. for the victualing and furniture of Calice, Hammes and Gynnes, is excepted, the force whereof remayneth, but consider the meaning of the makers of the statute, and for the vse thereof, Quare &c.

Sea fish transported.

Quare.

No cozne &c. shall be caried or any ship to be transported.

2 ¶ If any person doe cary and comiey away by Boate, Crayer, or other vessel, or otherwise, any Wheate, Rye, Barley, Malte, or other cozne or graine, or any Beere, Butter, Cheese, Herring, or Wood, to any shippe or vessel being on the seas, or within any hauen, creeke, or other place of the border of this Realme, to bee transported beyonde the seas, or into Scotland, without sufficient auctoritie so to doe, then euery owner of the sayd victuals, cozne and other things abouesayde so transported, and the owner of euery such Bote, or vessel, and the boatemmen and mariners of the same, shall forf. and suffer all such paynes & penalties as are aboue rehearsed, to the Q. and J. &c. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. & 2. P. & D. 5.

3 ¶ If any person shall obtaine of the Queene, her heires or successors, any licence to transport any cozne, victuall, or wood beyonde the seas, if he or any other to whome he shall giue, graunt, or sell his sayd licence, shall cary or cause to bee caried any more cozne, victuall, or wood, then shall be contained in his sayd licence, he shall forsaite the treble value of the sayde cozne, victuall or wood, so transported

Get that hath licence to transport, carperth over more if it is contained in his licence.

Corne and Graine.

without sufficient auctoritie, and shall suffer imprisonment for our whole peere without bayle or mainprise in the common gaole, where he shalbe apprehended. .1. and 2. p. and 29. 5.

He that hath
licence to traſſe
port come &c.
ſhall lade it at
one place.

4 **C** No person that shall haue any such licence for transporting any cozne, victuall, or wood, beyonde the seas, shall shippe the same, or any part thereof at sundrie places within this Realme, but at one place certaine, vpon paine of forfeiture of the same, and all his goods and cattels, to the A. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 1. and 2. P. and P. 5.

Dictating of Gripes.

5 ¶ This acte shall not extende to any persons for the necessarie victualling of any shippes or other vessels, neyther shall it be prejudiciall to the lord Admiral of England, for the time being, or to the Queenes iurisdiction of the admiraltie, but the sayd Admirall or his deputies shall vse and execute all kinde of iurisdiction belonging to the sea, according to his or their commissions. 1. and 2. 3. and 4. 5.

Every person
may transport
one of these
pieces.

6 ¶ At all tymes, when the common price of corne within this Realme is, that Wheate shall not exceede the price of vi.s. viii.d. the quarter, and Rie iii.s. the quarter, & Barley iii.s. the quarter, it shall be lawfull to euery person to cary ouer y^e sea, to any place, of the sayde kinds of corne, so y^e it be not to y^e Queenes enemies. 1. & 2. P. & 9. 5.

Come of these
pieces may bee
transported by
the Queenes
Subjects &c.

3. Ed. 4. 2. And it shall be lawfull to all and euery person and persons, being subiectes of the Queene, her heires and successors (onely out of such portes or creekes, as by the Queenes proclamation shall bee appointed, and not els where) to lade, carry, or transporte any Wheate, Rye, Barley, Malte, Pease, or Beanes, into any partes beyonde the seas, to sell as a marchandize, in ships, crayers, or other vessels wherof any English borne subiect then shall be the onely owners, so that the price of the said corne &c. exceede not the prices hereafter following, at the times, hauens and places, where and when the same shalbe shipped, viz. the quarter of Wheate at x.s. the quarter of Rye, Pease, or Beanes at viii.s. the quarter of Barley, or Malte at vi.s. viii.d. 5. El. 5. to continue to the ende of the next Parliament.

Comme may be
transported
when the prices
be allowed rea-
sonable by the
Lords Priests
Deputies, or Jus-
tices of the
peace.

7 **I**t shall be lawfull to all persons, being subiects of y^e Queene, her heires and successors, and inhabiting within her dominions, (onely out of such portes and creekes where are, or shall be resident a Customer or collector of subsidie, of Tonnage, and Bondage, or one of their deputies, and not els where) to loade, carry, or transporte any Wheate, Rye, Barley, Malte, Pease, or Beanes into any partes beyond the seas, being in amitie with this Realme, and not prohibited by any restraint, or proclamation, onely to sell as a marchandize in Shippes, crayers, or other vessels bearing crosse sayles, whereof any
English

English bozne subiectes inhabiting within her highnesse dominions, then shall be the onely owners, at all such times as the seuerall prices thereof shalbe so reasonable in the seuerall Countiees, where any such transportation shall be intended, as y no prohibition shalbe made either by the Queene, her heires or successours by proclamation to be made in the shire towne or in any port townes of the countie, or els by some order of the Lord President, and Counsell in the North, or the Lord President, and Counsell in Wales, within their seuerall iurisdictions, or of the Iustices of Assises, at their sessions in other Shires out of the iurisdiction of the sayde two Presidents and Councils, or by the more part of the Iustices of the peace of the Countie at their quarter Sessions in this maner following. That is, the said lords Presidents and Councils for the Shires within their iurisdictions, the Iustices of Assise at their seuerall Sessions (in other Shires out of the sayde iurisdictions, belonging to the sayd Councils in the North, and in Wales) peereley shall vpon conference had with the Inhabitanτες of the Countrey of the cheapnesse and dearth of any the sayd kindes of graine within the Countiees, within the iurisdictions of the said Councils, or in the other Countiees, within the limits of the sayd Iustices of Assise, by their discretion determine whether it shall be meete at any time to permit any graine to be carped out of the Realme, by any porte within the sayd seuerall iurisdictions or limittes, and so shall in wryting vnder their handes and seales make a determination, eyther for permission or prohibition, and the same cause to be by the Shirife of the Countiees published and affixed in as many accustomed market townes and portes within the sayd Shyre, as they shall thinke conuenient, and in such maner, as the Queenes proclamations are vsually published and affixed, which determination of the said Presidents and Councils in their iurisdictions, and of the Iustices of Assise in their limits shall continue in force for the time, place, and maner therein expressed, vntill the sayd Presidents and Councils shall otherwise order, or vntill the Iustices of Assise, at their being in their said circuittes, in euery of the sayde Countiees shall alter, or otherwise order the same, except the same shall be otherwise in the meane time altered or countermaunded by the Queene, her heires or successours, or by some order of the Iustices of peace in the Countiees scituated out of the iurisdictions of the said two Councils, in their quarter Sessions to be holden in the meane tyme, or the greater part of them, which shall find the same determination of the Iustices of Assise to be hurtfull to the Countie by meanes of dearth, or to be a great hinderance to Tillage by meanes of too much cheapnes, and shall by their

Corne and Graine.

writings vnder their handes and seales, make any determination to the contrary, eyther for permission or prohibition of carpage of any kinde of graine out of the Realme, and the same determination shall cause in lyke maner to be published and affixed as aboue is said, which determination shall also continue in force, except the same shall be altered by the Queene, her heires and successors, or vntill the Iustices of Assise at their being in their sayde circuites in euery of the sayde Counties afoze to them limited, shall alter or otherwise order the same, who shall and may vpon new conference had, from time to time, alter the sayd determinations in the whole, or in the part, as to their discretions shall seeme meete, and the same shall also cause to be published as is befoze prescribed: But neyther any of the sayde Presidents and Counsels, nor the sayd Iustices of Assise, nor the sayd Iustices of peace, shall publish any their determinations aboue mencioned, vntill the same shall bee first by writing notified to the Q. or to her priuie Counsell, and by her Palestie or her priuie Counsell shall be liked and allowed. 13. El. 13.

No determination published without the Queene or her Counsels assent.

The Queene may restraine transporting of coyne by proclamation.

8. The Queene, her heires and successors may at all tymes by her writte of Proclamation to bee published generally in the whole Realme, or in the Counties of the Realme where any port Townes are, commaunde that no person shall by vertue of this acte transport any graine to any partes out of her dominions, eyther generally out of any port in the Realme, or particularly out of any speciall portes to be in the same proclamation named, and it shall not be lawfull for any person to cary out any such graine, contrary to the tenor of the same proclamation, vpon such paines as by the lawes of the Realme are and haue beene provided. 13. El. 13.

A restraint of bringing coyne into this Realme.

9. Whosoever shall bring into any port, or place of this realme, any Wheate, Rie, or Barly, which is not growing within the Queens dominions, at any time when the quarter of Wheate doth not exceede the price of vi. s. viii. d. the quarter of Rie iiii. s. the quarter of Barley iii. s. within the port or place, where such graine shall be brought, shall forf. the said graine to the Q. and him that will seise the same, But this act extendeth not to any Wheate, Rie or Barley, taken by any of the Queens liege people vpon the sea, without fraud or couin. 3. Ed. 4. 2.

He that buieth coyne for chage of his seebe must bring in as much to the same market.

10. If any person having sufficient coyne for the prouision of his house and sowing of his ground for one yeere, doeth buy any coyne in any faire, or market, for the change of his seebe, and doeth not bring to the same faire or market, the same day, so much coyne as he shall buy for his seebe, and sell it (if he can) as the price of coyne then goeth in the sayd faire or market, Then euery such person so buying coyne for seebe,

seebe, shall forfeite double the value of the corne so bought, to the Q. and J. &c. to bee recovered by A. J. &c. whercin no W. &c. E. P. &c. 5. Ed. 6. 14. 13. Cl. 25. For the custome of corne transported, See Custome, 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, be awarded to remoue the bodie of any person which is condemned in any of the Queenes Courts, and the cause into the Chauncerie, the prisoner shall bee remanded continually to remaine in prison without being let to bayle or mainprise, vntill he hath agreed with the plaintife for the summe adiudged. 1. R. 2. 12. H. 5. 2.

2 ¶ He that sueth to defeate an execution vpon a Statute Staple, and thereupon commeth into the Chauncerie by Corpus cum causa, & there hath a Scire fac. agaynst the partie, vpon that defeisance or such like, he shall finde suertie as well to the Queene, as to the partie seuerally, to peeld his bodie, or pay the money, if the matters comprised in the Scire fac. be not found or adiudged for him. 11. H. 6. 10.

Corporations, Maiors, and head officers of the same.

No masters, wardens, and felowships of Craftes or mysteries, nor any of them, nor any rulers of guildes or fraternities, shall take vpon them to make any actes or ordinances, ne to execute any by them heretofore made, in disheriting or diminution of the prerogative of the Queene, nor of other, nor agaynst the common profite of the people, but if the same actes or ordinances be examined and approved by the Chauncelloz, Treasor of Englands, or chiefe Justice of eyther benches or thre of them, or before both the Justices of Assise in their circuites or progresse, in the shire where such acts or ordinances be made, vpon paine of forfe. of xl. li. for every time that they do the contrary. 19. H. 7. 7.

2 ¶ None of the same bodies corporate, shall make any actes or ordinances to restraine any person to sue to the Queene, or to any of her Courts, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment vpon any of them, for any such suite made, vpon paine of forfeiture of xl. li. for every time that they doe the contrary. 19. H. 7. 7.

3 ¶ No masters, wardens, or felowships of Craftes, nor any of them, nor any rulers of fraternities, guildes or brotherheads, shall compell or cause any prentise or iourneyman by othe or band, or otherwise, that he after his apprenticeship or terme expired, shall not set vp, nor keepe any shop, house, or celler, nor occupie as a freeman, with-

no newe ordi-
nances with-
out consent of
the Chauncel-
lor or Justices

no ordinance
to restraine
suite in the
Queenes
court.

None shalbe
restrained to
keepe shop.

Corporations, Maiors, & head officers, &c.

out licence of the master, wardens or fellowship of his occupation, for and concerning the same, upon paine to forfeit. for every time that they or any of them shall offend contrarie to this act, xl. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no E. P. &c. 28. H. 8. 5.

The fees for
entry of ap-
prentice and
freeman.

4 ¶ No Master, Wardens, or fellowships of Craftes, nor any of them, nor any rulers of fraternities &c. shall take of any apprentice or other person, for the entry of any apprentice into their sayde fellowships above the summe of ii. s. vi. d. nor for his entry when his yeeres and terme is expired, above iii. s. iii. d. upon paine to forfeit. for every time that they or any of them shall offend contrarie to this acte. xl. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no P. E. &c. 22. H. 8. 4. 28. H. 8. 5.

In corporati-
ons none shall
haue a nega-
tive voyce.

5 ¶ All and every peculiar Act, order, rule and estatute heretofore made, or hereafter to bee made by any founder, or founders of any Hospitall, Colledge, Deanry or other corporation at or upon the foundation of the same, whereby the graunt, lease, gift or election of the gouernour or ruler of such Hospitall, Colledge, Deanry, or other corporation, with the assent of the more part of such of the same Hospitall &c. as haue or shall haue voyce of assent to the same, at the time of such grant, lease, gift, or election to be made, should be in any wise hindered or let by any one or more being the lesser number of such corporation, contrary to the course of the common lawe of this Realme, shall be clearely voyde. And all othes heretofore taken. (viz. before the sayd statute made) by any person of such Hospitall, Colledge, Deanrie, and other corporation, shall be for and concerning the obseruance of any such order, estatute, or rule, deemed voyde. And no person of any such Hospitall, Colledge, Deanry or other corporation, shall be in any wise compelled to take any othe for the obseruing of any such order, estate or rule, upon the paine of every person giuing such othe, to forfeit for every time so offending v. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. or other dilatorie plea shall be allowed. 33. H. 8. 27.

Officers shall
set up tables
of a. l. duties.

6 ¶ All and singular officers of every Citie, Borough or Towne, where any Custome, Colle, duties or summes of money shall be demaunded of any Alien borne made denizen, shall set up or cause to bee set up in open place & places of every such Citie, Borough or Towne, a table or tables by which the certaintie and verie duetie of every such custome &c. of wares to be demaunded, may plainly appeare, to the intent that nothing be exacted otherwise then in olde time hath bene used, upon paine that every Citie not doing the same, shall lose v. li. and every towne corporate xl. s. for every moneth the same table shall faile to

to be set vp, to the D. & J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. Provided that the table set vp in London, touching Scavage within the same, shall be first viewed, examined and approued by the Chauncelloz and Treasor of Englande, the President of the Queenes Counsell, the Lorde priue seale, the Lord Steward of the Queenes houlholde, and the ii. chiefe Justices &c. for the time being, or by foure of them at the least, and by them subscribed, 22. H. 8. 8.

The tables in London touching Scavage

7 ¶ If any conspiracie, couenant or promise be made by any societie, brotherhed, or company of any craft or mystery of the Butchers, Bruers, Bakers, Butlers, Cookes, Costermongers, or Fruiterers, that they shall not sell their vitayles but at certayne prices, with the presence or consent of the moze part of them, then immediately vpon such conspiracy &c. beside the particular punishment appointed to y^e offendor, their corporatio shall be dissolued to al intents. 2. E. 6. 15. S. Artificers, 1.

Compacts made by vitailers.

8 ¶ Maiors, Shirifes, and Bailifes of Cities, Boroughes and Townes corporate, in their courts shall and may enquire, heare and determine all offences committed within the limites of their iurisdiction, contrary to the statute provided. 1. & 2. H. 8. P. for the reformation of excesse in apparell. And where any foxf. shall be found within the precinct of any Citie, Borough or towne corporate, The Maioz, Shirifes and bailifes of the same shall haue the one halfe, and he that wil sue in any court of record the other. And euery Maioz, bailif &c. hath auctoritie vpon the conuiction of euery such offendor, to awarde proces to the shirife of any shire for the apprehension of him, which being apprehended, shall be committed by the sayd Shirife to the Gaole, there to remaine, vntill he hath payed the forsaite wherein he is conuicted, 1. & 2. H. 8. P. 2. S. Apparell. 17. 18.

What officers officers of townes corporate may heare & determine.

Apparell.

9 ¶ The Aldermen in their wardes may inquire of all offences and foxf. committed contrary to the statute provided, 24. H. 8. for the reformation of excesse in apparell, and to aslesse fines vpon the offenders according to the sayd statute. 24. H. 8. 13. S. Apparell. 1. &c.

Apparell.

10 ¶ Maiors, Shirifes and bailifes of Cities and boroughes, haue power to enquire within the same, of all false makers of Arrowheads, and Quarels, and to punish them according to the statute in that case provided. 7. H. 4. 7. S. Arrowheads, 1.

Arrowheads.

11 ¶ Maiors and Bailifes at their Courtes haue auctoritie to inquire, heare, and determine all and singular offences committed by vitailers, artificers, workemen, and laborers agaynst the statute for them provided, 2. E. 6. and to punish the offenders according to the tenour of the same stat. 2. E. 6. 15. S. Artificers, 1.

Artificers.

12 ¶ In euery citie, borough and towne, where there be Maiors,

I. iiii.

Shirifes

Corporations, &c.

The prices of
Ale and beere.

Thirifes or head officers, they haue authoritie to name and lesse the prices of euery Barrell, Kilderkin, & Firkin of Ale and Beere, and the ale and beere buyers shall not sell their ale and beere at higher prices, then shall be attested vnto them. 23. H. 8. 4. S. Bruers. 2.

Souldiours.

13 ¶ Maiors, Bailifs, and other head officers of the port or place where any souldier shall arrive (which hauing mustered and receiued the Queenes wages, doth depart from his Captaine within his terme without licence) haue aucthoritie to arrest and keepe the same souldiour vntill further inquirie (according to the order of the lawe) be made of his offence. 18. H. 6. 19. S. Captaines. 3.

Barrels and
Kilderkins.

14 ¶ The prices of all Barrels, Kilderkins, firkins, and other vessels to be solde for Ale, beere, or sope, to be vttred therein, shalbe taxed by Maiors, Bailifes, and other head Officers of euery Citie, and Towne corporate, where any such vessels shalbe made or offered to be sold. 8. El. 9. S. Cowpers. 1.

Marking of
vessels.

15 ¶ The Maiors, Shirifes, Bailifes, Constables and other head Officers in such Cities, Boroughes and Townes, wherein no wardens of Cowpers be, haue aucthoritie to search, viewe, and gauge all barrells, kilderkins, firkins and other vessels, that they be made and marked sufficiently, and containe the true and lawfull rates and measures, and to marke euery vessell bearing the true content. And to take for searching and gauging of euery such vessell, \bar{q} . And they may retaine the vessell vntill they be satisfied thereof. And if they finde any vessell defectiue, not bearing the true contents, they may retaine the same, and cause it to be marked and amended or els to be burned. And the same aucthoritie haue the Wardens of Cowpers within London, taking with them an Officer of the Maiors, to search & marke all vessels within London, the suburbes, and ii. miles compasse of the Suburbes. 29. H. 8. 4. S. Cowpers. 2.

Vessels of Sal-
mon, Herring,
and Eeles.

16 ¶ All Maiors, Bailifes, and gouernours of Cities, Boroughs, Townes, Markets, and all other places of this realme, where there be Maiors, bailifes or gouernours, haue aucthority to name and chuse discreet & expert person or persons, dayly to search & gauge all vessels of Salmon, herring, and Eeles, that they be faithfully packed, and keepe their measure, and assise. 22. Ed. 4. 2. 11. H. 7. 23. S. Fish. 8. 9. 10. 11.

Cappes.

17 ¶ The Maiors, Shirifs, & bailifs of cities, boroughs, and townes corporate in their courts shall and may enquire, heare & determine, al & euery the offences committed contrary to the stat. provided. 13. El. for the continuance of making of Caps within the limites of their iurisdiction, & where any fox. shalbe found within the precinct of any citie, borough, or towne corporate, then the Maiors, Shirifs, bailifs, shall haue the

the moitie thereof, and the other moitie shalbe distributed at the chiefe Rulers discretions, amongst the poore of the same citie, borough or towne corporate, where y^e trespass shalbe found. 13. El. 19. S. Hats. 1. 2.

18 ¶ It is lawfull to the Mayor & Wardens of the Company of Haberdashers within London, calling to them one of the Companie of Cappers, and another of the makers of Hats, as often as neede shall require, within the said Citie, or iii. miles compass of the same, to search all Cappers and makers of hattes and the offenders, and defaultes by them found, to correct and punish, as in like cases they do other offenders and defaultes within the sayd Companie. And it is lawfull to all Mayors, Bailifes, and other head Officers in all other Cities and Townes corporate, to do the like. 8. El. 11. S. Hats. 4.

Cappers,
Hatters.

19 ¶ For the authoritie & dutie of every Mayor, Bailife, or other head Officer of any citie, borough or towne corporate, concerning the wages, order, direction, and reformation of Laborers, Artificers, seruants and apprentices, within the limits of their Iurisdiction, by force of the statute theretofore prouided 5. El. 4. S. Labourers &c. and Iustices of peace. 66. 67. 68. And all ameracements, fines, issues, & forf. which shall grow by reason of any offences mentioned in the said stat. or any branch thereof, within any Citie or towne corporate, shalbe leuied & receyued by such persons of the same citie or towne, as shalbe appointed by the Mayor or other head Officer thereof, to the vse or maintenance of the same citie or towne, in such case as other ameracements, issues, &c. haue bene vsed to be leuyed and employed within the same by reason of any graunt or Charter from the Queene or of any her Progenitors granted to the same citie or towne. 5. El. 4.

Labourers &c.
Iustices.

20 ¶ The Mayor of London within the sayd citie, and within iii. miles compass thereof, & all other Mayors, Bailifs, & other head Officers of Cities, Boroughs, and Townes within their seuerall iurisdiccions, shall inquire, heare & determine all offences committed contrary to the Statute prouided 5. Eliz. touching Tanners, Curriers, Shoemakers, and other artificers occuppying the cutting of Leather, and also shall by their discretions, examine all persons suspected to offend the sayd act, or any partell thereof, and the third part of all penalties of summes of money forf. by the sayd act, in any Citie, borough, or towne, shall go to the sayd citie, borough or towne, where the offence shalbe committed. 5. El. 8. S. Leather.

Tanners,

21 ¶ The Mayor, Shirife, Bailife, or other chiefe Officer of every Citie, Borough, Towne and port within this Realme, having power to heare and determine personall pleas in the Court holden before them or any of them, within any such Citie, Towne, &c. haue

Lineries, Res
tainors.

authoritie,

Corporations, &c.

authoritie to receyue information of any persons, which shall giue any liuery or Badge, or retaine any other then his meniall seruant, officer, or learned man in the one lawe or other, by wyting, or the or promise, and of any person which shalbe so retayned, and to heare and determine as well by examination, as by tryall, all things done concerning the same, by or to the inhabitants within the iurisdiction of the same Court. And to put the statute for those offences provided, in execution, and the Queene shall haue the one moitie of all penalties forf. by the sayd statute, And the Informer, and chiefe Officer of such citie, borough &c. shall haue the other, equally to be deuided betwixt them. And the said chiefe Officers part, shalbe imployed to the vse of the sayd Citie, Borough &c. 8. Ed. 4. 2. S. Lieries. 5.

Preachers,

22 **C** All & singular Maiors, Bailiffs, and Iustices of peace, within any Citie, Borough or Towne corporate, in any partes within this Realme within the limites of their Commission, haue authoritie to enquire of all Offendours agaynst Preachers and other Ministers of the Church, and to heare and determine the same, and to set fines and amercements of the sayd offendours, as in the statute therfore provided is limited, 1. H. 3. S. Preachers. 1. 2.

Unlawfull games,

23 **C** All Maiors, Bailiffes, Shirifes, and other head Officers shall cause the statute provided agaynst unlawfull games, and for the maintenance of Artillerie, to be openly proclaymed once euery quarter of a yeere in euery market, holden within their seuerall iurisdictiones. 33. H. 8. 9.

Maintenance of the Naup.

24 **C** Maiors, Shirifes, Bailiffs, & other head officers in cities and townes corporate, in their Courtes within the limits of their authorities, haue power to enquire, heare and determine all and singular offences done in the lande, or within any haven or peere, contrary to the statute made, 5. Eliz. (touching certaine politique constitutions for the maintenance of the Naup,) and if any person shall be presented before them, within the limits of their authoritie, or any information giuen to them of any offendour of the sayd Act: Then they haue authoritie thereupon to make proces against the offendour, as is commonly vled by indictments of Trespas, and if any be presented & afterward conuicted by confession or otherwise, then he shal suffer no lesse forf. or punishment then in the sayde Act is limited, for the leuying of which forf. the sayde Maiors & other head Officers, within the limits of their authorities, haue power to make such proces, as they shall thinke good by their discretions: But the information at the parties suite shall bee within halfe a yeere, and the information or presentment at the Queenes suite, shall be within one yeere after the offence committed, or else the same shall

shall not be of effect to put the partie to answer or losse. 3. El. 3. S. Fish
dayes. Hempe and flaxe. 2. Shippes. 1. 2. 3. 4. 5.

25 **¶** Maiors, Shirifs, and Bailifes of Cities, haue aucthoritie to *waite.*
inquire, heare & determine of all and singular offences committed con-
trary to the stat. prouided. 37. H. 8. against Usury. 13. El. 8. S. Usury.

26 **¶** All Maiors, shirifs, bailifs and other head officers of Cities, *wines.*
Boroughes, and Townes corporate, within the limits of their Com-
missions, aswell within franchise as without, haue aucthoritie to exa-
mine, heare, inquire and determine the defaults of such as shall attempt
to sell any wines in grosse or by retaille, contrary to the statute proui-
ded. 28. H. 8. and to punish the Offendors, by imprisonment or other-
wise by their discretions. 28. H. 8. 14. S. Wines. 1. 2.

27 **¶** Maiors, Shirifs, Bailifs, or chiefe gouernors of such Ci- *Searching &*
ties or Townes, where any Carracke, galley or shippe shall come to *marking of*
safe port, of any Marchants strangers, their factors, atturneys, or ser- *Botswaues.*
uants, shall search, or suruey the Botswaues brought, sent, or conueyed
into this realme by the sayd Marchants &c. And shal assigne ii. expert
men to search the sayd stauers, which ii. men shalbe swozne by the sayde
Maior &c. that they shal cruelly and indifferently marke the stauers that
be not good & sufficient, that all the Queenes people may haue know-
ledge of them. 12. Ed. 4. 2. 13. El. 14. S. Bowes. 1.

28 **¶** Maiors and Bailifs of Cities & boroughs within the same *riding armed.*
cities and boroughes, haue power to make execution of the statute of
Northampton, prouided. 2. Ed. 3. against those which shall go or ride
Armed. 2. Ed. 3. 4. 20. R. 2. 1. S. Armour. 10.

29 **¶** No great man or any other by strength or threates shall dis- *Free election.*
turbe or hinder free election to be made. West. 1. 3. E. 1. 5. But when
any dignitie is voyde, they which haue the election, shall freely with-
out threates of any secular power, intreatie or oppression, proceede to
their election. Artic. Cleri. 9. Ed. 2. 14.

1 That the Maior & chiefe officers of cities and corporat townes, *Arrests.*
which may keepe Sessions as Iustices of peace, may commit to pri-
son any person vehemently suspected of any of the offences of spea-
king &c. false newes against the Queene, enquire of the offences, and
endite the offenders. S. Newes. 11.

2 What Maiors or other head Officers shall or may doe for the *Poor people.*
placing, prouision, reliefe, reforming, or punishing of poore persons *Vagabonds.*
within the limits of their aucthoritie. S. Poore people &c. And what
for the punishment of Vagabondes and sturdie beggers. S. Vaga-
bonds &c.

3 For the aucthoritie of Maiors & other head Officers, concer- *Unlawfull*
ning *games.*

Corporations, &c.

ning the restraining of vnlawfull games within their iurisdiction, & the punishment of the offenders, S. Playes, &c. 5. 6.

Private offences.

4 Where any Corporation or Company, or the head Officers of the same, shall make forfaiture or be punished for any particular persons offence, S. Lether. 26. 30. Drapery. 35. 46. Gold. 12.

Mortmain.

5 That it is Mortmain for the chiefe officer of a corporat towne, to purchase any land to the vse of the corporation, S. Mortmain. 4.

Searchers of Lether.

6 That the Maiors and other head Officers shall appoynt expert men, to search and seale Lether, S. Lether. 22. 23. 25.

Cloth searched.

7 That Maiors and head Officers of corporate Townes, shall appoynt certaine to search and seale Cloth, S. Drapery. 33. 34.

Faultie cloth.

8 Howe the chiefe Officer of any citie or towne, shall vse faultie cloth presented vnto him, S. Drapery. 31.

Gunnes.

9 That a Maior or head Officer shall receyue the names of those which shoote in Gunnes, and cause them to be recorded, See Gunnes. 11.

Physicians.

10 By what name the Physicians in London bee incorporate, what Priuiledges they haue, & what they may do, and that all Maiors and other Officers shall assist them, S. Physicians. 1. 4. 5. 7. 10.

Fustians.

11 That the Maior & Wardens of the Sheremen of London may search the workmanship of Fustians and Clothes, S. Fustians. 1.

Goldsmithes.

12 What the Wardens of Goldsmiths shall forfaiture, if any worke by them touched and allowed for good, bee after found deceitfull, S. Gold. 12.

Oyle.

13 That the Maior or chiefe Officer of any Citie and Towne, may search all Oyles brought into the same to be solde, destroy that which is faultie and punish the offenders, S. Oyle. 1. 2.

Couerlets.

14 That the Wardens and searchers of Couerlets within Yorke, may search in all Faires, from Trent Northwarde, for all Couerlets made within the Countie of Yorke, S. Couerlets. 3.

Hats, Couerlets, Dornikes.

15 That the Maior, Recorder &c, of Norwich, shall admit those which shall make Hats, Couerlets, and Dornikes within the Countie of Norf. and take nothing therefore, S. Couerlets. 5. Hats. 3.

Pewter, brasse.

16 That the head Officers of corporate townes, may appoint expert men to search vessel of Pewter and Brasse, S. Pewterers. 5. 6. 7.

Apparell.

17 What apparell Magistrates in corporate Townes may weare, S. Apparell. 16. 17.

A common officer no customer.

18 That a common Officer in a corporate Towne, shalbe no Customer, S. Custome. 20.

Catours.

19 That the head Officers of Cities and Townes, shall arrest the Catours of Noble men and others, which take any thing from any man

man without the owners good will, S. Purueiors, 1.

20 That head Officers of cities and corporat townes may inquire of the offences prohibited by the statute made for the vniformitie of common Prayer, S. Sacraments, 7. Vniformity of
comon prayer.

21 How Riots, Routs & Assemblies made in Cities & corporate Townes, which haue Iustices of peace, shall be inquired of and repressed, S. Riots, 13. Riots, routs,
&c.

22 For all the ducie of Maiors and other head Officers of cities and Townes corporate, concerning the executing of the statute provided agaynst vnlawfull and rebellious Assemblies. S. Riots. 16, 17. Vnlawfull
assemblies.

20. 21. 24. 25. 26.

23 That Maiors, Bailifs &c. shalbe attendant vpon the Coroner, at the executing of an Abiured person, S. Sanctuary. 4. Aburrations.

24 That Maiors, Bailifs &c. of cities and borowghes, may order, reforme and punish Vitaylers. S. Vitaylers. 1. 4. 7. Vitailers.

25 Howe the prises of vitailles shall be assessed when any vitailer is chosen to beare office in any corporate Towne. S. Vitailles. 9. Vitailles.

26 For the authoritie of the head Officers of corporate townes, in keeping, marking, viewing & examining of waights and measures, S. Waights. 7, 8, 10, 11. Waights,
measures.

27 That the head Officers of corporate Townes, shall haue the moitie of the forsaytures of those which sell wine in grosse, contrary to the prices assessed &c. S. Wines. 2. Wintners.

28 That head Officers of corporate Townes, may enter into a Marchants house which denieth to sell wine at the price assessed &c. and sell and deliuer the same, S. Wines. 4. Wines.

29 That none shall sell wines in townes corporate, but by the assignement of the head officers thereof, S. Wines. 9. Wines.

30 That head Officers of corporate townes haue authoritie to assay wines, and powre out the corrupt, S. Wines. 15. Wines.

31 Where and before whome inhabitants in corporate Townes shalbe charged to appeare at musters, S. Capitaines. 15. Musters.

32 That there shall bee no vnion of any Church in a corporate Towne without the assent of the Maior and comminaltie &c. S. Ecclesiast. 32. Vnion.

34 That no head Officer of a corporate Towne, shall take Scavage, or Shewage of a Marchant for marchandises customed &c. S. Marchants. 2. Scavage.

35 For the ducie of head Officers of corporate Townes, about the electing and returning of Burgesses of the Parliament. S. Parliament. 5. 6. Parliament.

36 That

Coroners.

- Abiured pers^{on}** 36 That the head officers of a corporate Towne, may take out of Sanctuarie an abiured person committing felonie. S. Sanctuarie. 9.
- Recoveries.** 37 For the force of recoveries, decedes inrolled, or releases in certaine corporate Townes. S. Women. 5.
- Fish.** 38 That ordinances of Corporations made for the restraint of any person to take, buy, or sell Fish, shalbe voyde. S. Fish. 23.

Coroners.

Who shalbe coroners, and by whom & where they shall be chosen.

AL Coroners of Shires shalbe chosen in the full Countie, by the commons of the same Countie, of the most meete and worthe people, which may be found in the same Countie to execute the sayd Offices, and of the most sage and wise Knights which do best know, can, and will attend vnto the same Office, and which will lawfully attach, and present the pleas of the Coron. 3. Ed. 1. 10. Alwayes saving to the Queene & other Lordes which ought to appoint such Coroners their franchises. 28. Ed. 3. 6. But no Coroner shalbe chosen, if he haue not sufficient land in fee in the same Countie, whereof he may answer all people. 14. Ed. 3. 8.

Of what things Coroners shall inquire.

2 ¶ If any Coroners be aduertised by the Queenes Bailifes, or other honest men of the Countrey, to come to those that be slaine, suddenly dead or wounded, or to house breakers, or to any place where treasure is found, they shall immediately come, and forthwith command iiii. b. or vi. of the next Townes, that they appeare before them in such a place, & when they come, the Coroners upon their othe shall inquire, if they did know of the man that was killed, where he was first slaine, whether in the field, or in the house, bed, Tauerne, or in any companie, and who were there. 3. Ed. 1.

Further.

Enquire of the offenders.

3 ¶ Likewise they shall inquire who were culpable, either of the act or force, and who were present, eyther men or women, and of what age they be, so they can speake and haue discretion: And they which be found guiltie by Inquisition in the foresayd maner, shall be taken, deliuered to the Shirife and committed to the Gaole, & as many of them as be not found guiltie shalbe attached, vntill the comming of the Iustices, and their names inrolled. 3. Ed. 1.

When found slaine.

4 ¶ If any man be suddenly slaine, and founde in the fieldes or woods, it is to be considered whether he were slaine there or not, if he were brought thither, their steppes that brought him (if it may be) shall be folowed, and so shall the tracke of horse and cart, &c. And also it shal be inquired, if he that were slaine were knowne or unknowne, and where he lodged the night before. And if any be founde guiltie of the death of such, immediately the Coroners shall come to his house, and inquire what cattell he hath, and what coyne in his grange, and what
on

on the ground, and if he be a free man, what free land he hath, and what it is worth by the yeere, beside the Lord of the fees service, but the land shall remaine in the Queenes handes, vntill the Lord of the fee hath made a fine for it: And when they haue inquired of all thinges, then they shall cause them to be prised, as if they should straightway be sold, and then the body of him that is dead shall be buried. 3. Ed. 1.

5 **¶** Moreover the Coroners shall inquire of them which be drowned, suddenly slaine, or strangled, by the signe of some hurt found by on their bodies, or some other manifest token, and shall attache the finders and all other in their companie. 3. Ed. 1. Suddenl
slaine.

6 **¶** A Coroner ought to inquire of Treasure that is founde, who were the finders, and who are suspected thereof, which may be gathered by some mans delicate liuing, and frequenting of Tauerne, which (vpon suspicion) shalbe attached by iiii. vi. or mo pledges. 3. Ed. 1. Treasure trove

7 **¶** If any be appealed of Rape, he shall be attached by iiii. or vi. pledges, if the appeale be fresh, and the signe of trueeth apparent, or an open outcry leuped: But if it be without any manifest token or outcry. ii. pledges shall suffice. 3. Ed. 1. Rape.

8 **¶** Upon appeale of Mailem, if the woundes be mortall, they which be appealed shall forthwith be apprehended, and kept vntill it be knowne, whether he that is hurt shall recouer or not: if he die, they shall be retayned, if he liue, they shall be attached by iiii. or vi. pledges, according to the bignes of the wound: if it be for a mailem, then there shall be no lesse then iiii. pledges, if a small wound ii. will serue. 3. Ed. 1. Mailem or
wounding.

9 **¶** The length, breadth, and deepenesse of all woundes, ought to be viewed, and with what weapons, and in what part of the bodie the partie was hurt, and also how many woundes there be, how many be culpable, and who gaue the wounde, all which thinges shall be inrolled in the Coroners roll. 3. Ed. 1. The length,
breadth & deep-
nes of woundes.

10 **¶** Horses, Boates, Cartes, commonly called Deodandes, whereby any person shall perish, shall be valued and deliuered to the whole Towneship, which shalbe answerable therfore. 3. Ed. 1. Deodandes.

11 **¶** Whosoever layeth handes vpon the wrecke of the Sea, shalbe attached by sufficient pledges, the price of the wrecke shalbe valued, and deliuered to the Towne to answer, &c. Officium Coronatoris. 3. Ed. 1. S. Wrecke. 2. Wreck of Sea.

12 **¶** If any Coroner be remisse in viewing of a dead bodie murdered or slaine, and doe not inquire of them that haue done the murder or death, of their Abbettoys and Consentors, who were present thereat, and their names, or so founde doe not inroll, certifie, and deliuer his inquisition to the Iustices of the next Gaole deliuerie in the Shire, Coroners shal
inquire & certifie
at the gaole
deliuerie.

Coroners.

Shire, where the inquisition is taken, that the same Justices may proceede agaynst such murtherers, if they be in the Gaole, or els certifie the inquisition into the Kings Bench, the sayd Coroner shal forfeite to the Queene for euery offence v.li. 3. p. 7. 1.

Enquire of
escape of the
murderer.

13 **T**he Coroner vpon the view of the dead bodie, may enquire of the Escape of the murtherer, for if he doe the murther in the day and escape, The Towne shalbe amerced. 3. p. 7. 2.

Recording evi-
dence and bind-
ing parties to
give it at the
Gaole deliuerp.

14 **E**uery Coroner vpon any Inquisition before him founde, whereby any person shalbe indicted for murther or manslaughter, or as accessary to the same before the murther or manslaughter committed, shall put in wryting the effect of the euidence giuen to the Iurie before him, being materiall. And he hath auctoritie to bind all such by recognisance or obligation, as do declare any thing materiall to prooue the sayd murder or manslaughter, or to be accessary to the same, to appeare at the next generall Gaole deliuerie to be holden within the Countie, Citie, or Towne corporat, where the triall thereof shalbe, then & there to giue euidence against the partie so indicted at the time of his tryall, and shall certifie aswell the same euidence, as such bondes in wryting which he shall take, together with the inquisition or indictment before him taken and found, at or before the time of his sayd triall to be made. And if any Coroner shall offend in any thing to the contrary, Then the Justices of Gaole deliuerie of the Shire, Citie, Towne, or place where such offence shalbe committed, vpon due prooffe thereof by examination before them, shall for euery such offence, set such fine on such Coroner, as they shall thinke meete. 1. & 2. p. 8. & p. 13.

The Coroner shal
come to take
absturation.

15 **I**f the Coroner of the Shire or place, where any person shall take any refuge or Sanctuarie in any Churches, or Churchyardes, Cathedral Church, Hospitals, Churches collegiat, Chappels dedicat, commonly vsed as Parish Churches, or any Cemeteries to any of them belonging, vpon reasonable request made, doe refuse to come in conuenient time, vnto such person being in Sanctuarie, there to take his confession and absturation, according to the lawes of this Realme, then the sayd Coroner for euery such default shall forfeite C. s. to the Queene. 3. 2. p. 8. 12. S. Sanctuarie. 3. 4.

As for where
any person is
slaine by mis-
adventure.

16 **A** Coroner, which vpon request to him made, to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misadventure, doeth not his Office diligently vpon the viewe of such body, without any thing therfore taking, shall forfeit xl. s. 3. Ed. 1. 10. 1. p. 8. 7. But a Coroner shal haue for his fee vpon euery inquisition taken vpon the viewe of a body slaine xiii. s. iiii. d. of the goods and cartels of the murder, if he haue any: and if he haue no goods,

The Coroners
fee where any
person is mur-
dered.

the

the Coroner shal haue his fee of such amercements, as any Towneship shalbe amerced for escape of such murder. 3. H. 7. 1.

17 ¶ The Sheriffe shall haue counter roules with the Coroner, as wel of as Appeales of Enquests, of Attachements, and other things which doe belong to this Office. West. 1. 3. Ed. 1. 10. But no Sheriffe, Constable, Eschetour, Coroner, or any other Bailife of the Queenes, shall hold pleas of the Crowne, Magna Charta. 9. H. 3. 17.

The Sheriffe shall haue counter rolles with the Coroner.

18 ¶ Upon an inquisition to be made by the Coroner of the death of a man, euery one of the age of xii. yeeres, ought to appeare, except they haue a reasonable excuse of their absence. Marleb. 5. 2. H. 3. 24.

Who ought to appeare vpon an inquisition of a mans death

19 ¶ If the death of a man (where the Coroners office is to make view and enquest) doeth chaunce in any Countie where the Queenes house is, and within the verge, the Coroner of the same Countie shalbe commanded with the Coroner of the Queenes house, to execute his office, and to inroll it. And that thing which cannot be determined before the Steward, shalbe remitted to the common lawe, so that exigents, outlawpies, and presentments shalbe thereupon made to the Iustices in their circuites, by the Coroner of the Countie, as well as of other felonies done out of the verge. 28. Ed. 1. 3. But all Inquisitions vpon the viewe of persons slaine within any of the Queenes palaces or houses, or any other house, at such time as her Maiestie shall bee abiding in her royall person, shalbe taken by the Coroner of the household of the Queene, or her heires, without adioyning of any other Coroner of any shire, by the othes of xii. or more of the peomen officers of the Queenes household, returned by the two Clerks Comptrollers, the clerke of the Checke, Clerkes Parshall, or one of them for the time being, of the foresaide household, to whom the sayd Coroner shall direct his precept, which Coroner, &c. shall be assigned by the Lord Steward for the time being. And the sayde Coroner shall from time to time for euer without delay certifie vnder his Seale, and the seales of such persons as shalbe so sworne before him, all such inquisitions, indictments, and offices vpon the viewe of all dead bodie which shalbe slaine within any of the Queenes palaces or houses, or other house aforesayde before the sayde Lord Steward, and in his absence, before the Treasurer, Comptroller and Stewarde of the Marshalsey, or before two of them, whereof the saide Steward of the Marshalsey to be one, and such inquisitions and offices so certified, shall bee taken as good to all intents, as any inquisition taken vpon the viewe of the body of any person being dead, by any Coroner of any Countie of this Realme hath bene, or shalbe adiudged. 33. H. 8. 12, 27. H. 8. 24. 32. H. 8. 20. S. Fighting. 1.

Enquire with in the Verge.

Enquire with in the Queenes house.

Cosinage. Couverlets.

Coroners of
Cheshire.

20 ¶ Two head Coroners for the body of the shire of Cheshire, shalbe elected by vertue of the Queenes writ de Coronatore eligendo, to be awarded out of the Eschequer at Chester, which Coroners shalbe bound to sit with the sherife at the shire Courtes, to giue iudgements vpon outlawries, and to do all other things that appertaineth. 33. Hen. 8. 13.

1 What euery Coroner which shalbe absent from the assessing of the wages of the knights of the shire, shall forfeit, S. Parliament, 12.

2 What Coroners shall forfeit if they doe conceale, or will not arrest felons, when they may, S. Felonie, 34.

3 Where the Coroners shall impanell any Iurie, of what sufficiency the Iurors shalbe, what issues they shall returne vpon them, and vpon what paine, S. Riots. 7.

Cosinage.

IN writs of Cosinage Aiel and Befail, the which be of the same nature that an assise of Mortdauncestor is, the same answer shall be allowed for the tenant, that the Iustices did allowe him at the Common lawe in assise of Mortdauncestor, viz. that the plaintife is not next heire of the Auncestor, by whose death the land is demanded, and that shal be inquired of by the assise, and according to the Inquisition iudgement shalbe giuen. West. 2. 13. Ed. 1. 20.

Couverlets.

Sale of Couverlets in Yorkes shire.

N O person dwelling within the Countie of York, or nigh vnto the same, shall make any Couverlets or Couverings to put to sale, vnlesse such person be inhabiting within the Citie of York, or within the suburbs of the same, vpon payne of forfeiture of the same, or the value thereof. 34. H. 8. 10.

No couerlet maker in York shire shall go abroad.

2 ¶ No person of the occupation of the handicrafts men of Couverlet makers dwelling within the saide Citie of York, or the suburbs of the same, or else where within the saide Countie, shall vse the craft of hauking abroad in the Countrey, to villages and mens houses, or goe as haukers, or put to sale any Couverlets in any other place, out of the sayd Citie and liberties thereof, but onely in the open markets and faires, vpon paine of forfeiture of the same couerlets, or the value thereof. 34. H. 8. 10.

The wardens shal make search for all Couverlets not well wrought or wanting lawfull assise.

3 ¶ The wardens and searchers of the occupation of Couverlet makers within York, and their successours, haue power to make search in all faires and markets from Trent Northward within this Realme, for all such Couverlets as shall be put to sale not being well wrought,

wrought, and made of sufficient stufte, or not containing the assise accustomed (vz. the best sort ought to containe in length iii. yardes, and in bredth ii. yardes and a quarter: the second sort shoulde containe in length iii. yardes, and in bredth ii. yardes: And the lowest or thirde sort shoulde containe two yardes and a halfe in length, and in bredth one yarde and three quarters.) And to seise and take the same as forsaited.

The assise of
Couerlets.

34. H. 8. 10.

4 But it shalbee lawfull to every person dwelling within the Countie of Dorke, to make Couerlets of what assise or stufte they will, for their owne vse, or store of their houtholdes, or for their Lordes to whom they be tenants, so that the same shall not bee put to sale. 34.

Making of
couerlets for
their owne or
Lordes vse.

Hen. 8. 10.

5 Whosoever doeth weaue any Couerlets, or Dornicks, or occupy the mysterie thereof, within the citie of Norwich or County of Norff. vnlesse hee bee admitted so to doe, by the Maior, Recorder, Steward, and two Iustices of the sayd citie, or foure of them, or hath bene apprentice to the saide occupation of Couerlets, or Dornickes making, which he doth occupy by the space of seven peeres, or doeth make any Couerlets or Dornicks, or doeth occupie any of the sayde mysteries in any place out of the citie of Norwich in the Countie of Norff. but onely in a corporate or market towne, and in Welham, shall forfait. iiii. s. iiii. d. for every Couerlet, and vi. s. viii. d. for sixe yardes of Dornicks made to the contrary, And the Maior, Recorder, Steward, and Iustice which taketh any thing to admit any man to occupie, shall forfait for every offence v. li. 5. Ed. 6. 24.

Couerlets and
Dornicks in
Norwich.

Counterfaite letters and tokens.

Whosoever shall falsely and deceitfully get into his possession any money, goods, or other thinges of any other persons, by colour of a priuie token, or counterfait letter, made in any other mans name, and that be proued by confession, or examination of witnesse, taken before the Lorde Chauncelloz, the Queenes counsell in y^e Starre Chamber, the Iustices of assise in their circuites, the Iustices of peace in their generall Sessions, the Iustices of any citie or towne corporate, or by accion in any of the Queenes Courtes of record: shall haue such correction by imprisonment of his body, setting vpon the pillory, or otherwise by any corporall paine (except death) as shalbe vnto him adiudged, by the persons before whom he shalbe convicted, & besides the partie greeued shall haue such remedy by accion or otherwise for the same money, goods &c. as hee might haue had, if this act had neuer bene made. 33. H. 8. 1. S. Iustice of peace. 54.

Cowpers, Counties or shire court.

Cowpers.

Justices and
head officers
may set prices
of vessels.

If any Cowper doe sell any Barrells, kilderkins, firkins, or other vessels, for Ale, Beere, or Sope to bee vntered therein, aboue such prices which shalbe asselled by the Justices of the peace of the shire in their Sessions, or by the Maior, Baylife &c. of the citie, borough or towne corporate, where the saide vessels shalbe made or offered to bee solde after proclamation thereof made, he shall forfait for euery vessel solde at a greater price, *iii. s. iiii. d.* to the *Q. and J.* to bee recovered by *A. J. &c.* wherein no *W. &c. E. P. &c. 8. Cl. 9.*

The contentes
of Ale & Beere
vessels.

2 **E**uery Cowper shall make his vessels for Beere and Ale, of good and seasonable wood, and shall make a Beere barrel to containe *xxvi.* gallons, a kilderkin for Beere, *xviii.* a firkin for Beere, *ix.* a barrel for Ale, *xxii.* a kilderkin for Ale, *xvi.* a firkin for Ale, *viii.* gallons, of the Queenes Standarde, or els hee shall forfait for euery vessell so not made, *xii. d.* to the *Q. and J.* to bee recovered by *A. J. &c.* wherein no *W. &c. E. P. &c.* And no Cowper shall make any vessell for Beere or Ale, to be sold, of any greater or lesser number of gallons then is aforesaid, vnlesse he shall cause to be marked vpon euery such vessel the certaine number of as many gallons as it shall containe, that euery person may knowe the content. And if he marke not his vessel with his owne marke, he shal forfait, *iii. s. iiii. d.* *23. H. 8. 4.*

Diminishing
of vessels.

3 **W**hosoeuer doeth diminish any barrell, kilderkin or firkin, to the deceit of any other, by taking out the head, or any staffe from such vessell, shall forfait *iii. s. iiii. d.* bee punished at the discretion of the head officer, before whom the default shalbe presented, and the vessell shalbe burned. *23. H. 8. 4.*

1 That no Ale or Beere Bruer shall occupie the mysterie of Cowpers, *S. Brewers. 1.*

Countie or shire court.

County courts
shall be kept
monthly.

NO countie court shalbe longer deferred, but from one moneth to another, & the said court shalbe kept euery moneth, & none other wise. *2. Ed. 6. 25.* And in like sort shall the County courtes in the *xii.* shires in Wales, and in the countie of Monmouth, be kept. *34. H. 8.*

In what
townes the
shire Courts
of seueral
shires shalbe
kept.

2 **T**he sherife of the countie of Northumberland shall keepe the Countie court of that shire in the towne and Castle of Alnewike and in none other place. *2. Ed. 6. 25.* The shire court for the shire of Suffex, shall be kept one time at Chichester, and another time at Lewes, alternis vicibus for euer. And if any shire court bee holden to the contrary, all things therein done shall bee voyde. *19. H. 7. 24.* The sherife of the Countie of Chester is bounde to keepe his shire court in the shire hall of the sayde Countie. *33. Hen. 8. 13.* And the sherifes shire

Courtes

Courtes in Wales of the Countie of Brecknoke, shall be holden at Brecknoke, Of Radnor, at new Radnor, and Preston, Of Mountgomerie, at Mountgomerie and Baghenleth, Of Denbigh, at Denbigh, and Wirham, Of Monmouth, at Monmouth and Newport, alternis vicibus. Anno 27. H. 8. 26.

Wales.

Crowes, Rookes, Choughes.

If the inhabitantes of any parish, towneship, hamlet, Borough, or village, wherein there be x. households inhabited at the least, doe not provide a net to take Crowes, Choughes, and Rookes with all things requisite, or belonging to the same, and keepe and renue the sayde net as often as neede shall be, and with a Schape made of Chaffe, or other meete thing, lay the same at such time and place as is convenient for the destruction of such Crowes, &c. they shall forfeit x. s. to the Queene and Lord of the court, leete, lawday, or rape, where such net shalbe lacking, and not made and put in execution according to this act, to be levied of the tenants and inhabitantes of the sayde parish, towneship, &c. where such net shalbe lacking, and not put in execution. 24. H. 8. 10. 8. El. 15.

Every towne shall have a Crowe net.

2 The Churchwardens and vi. other parishioners by them requested, shall yearly asseesse every person having the possession of any lands or tithes within their parishes, to pay such summe of money as they shall thinke meete according to the quantitie and portion of their lande or tithes, which they have or holde, And a bill indented of the summes so assessed with the forfeitures (if any be) shall be delivered by the Churchwardens to two persons of the same parish, which shalbe appointed distributors of the provision for the destruction of Crowes, and other noyfull fowles and vermin. And if any person doe not pay the summe of money so taxed, within xiii. dayes after request made by the Churchwardens, or one of them, he shall forfeit v. s. which (with the money taxed) shall be levied by distresse of the goods of such person refusing, which distres shalbe used in such maner as distresses taken for amerciaments in any Leetes. 8. El. 15.

Money levied for the destruction of vermin.

3 If any of the Churchwardens, vi. persons, or ii. distributors shall refuse, or make default in execution of this act, or any part thereof, he shall forfeit v. li. to the Q. & A. (using tillage yearly within the same shire) to be rec. by A. & C. wherein no A. & C. E. D. & C. 8. El. 15.

Distributors.

Officers refusing to doe their duties.

4 The distributors shall pay of the money so to them delivered, to every person that shall bring to them iii. heads of any olde crowes, choughes, pyes, or rookes, taken within their severall parishes. i. d. for the heads of vi. young of any of them i. d. for every vi. eggs

The reward of them which shall destroy vermin.

Crowes, Rookes, Choughes.

of any of them unbroke. i. d. for twelue Stares heads. i. d. for euery head oferten Hawkes, Fursekite, Holdkite, Bussard, Schagge, Carmerant, or Ringtaile, ii. d. and for euery two eggess of them i. d. for euery Iron, or Dsprayes head iiii. d. for the head of euery Woodwall, Pie, Jay, Rauen, or kite, i. d. for the head of euery bird called the kings fisher. i. d. for the head of euery Bulsynch or other bird that deuoureth the blouth of fruite i. d. for the head of euery Foxe or Grape, xii. d. And for the head of euery Fitchew, Polcat, wefell, Scote, faire Bade, or wilocat i. d. for the heades of euery Otter, or Hedgehogges, ii. d. for the heades of euery iii. Rattes, or xii. mice, i. d. for the heades of euery Holdwarpe or want. ob. And besides, the takers shall haue all the Crowes and other vermin to their vles. 8. El. 15.

Enteing into
other mens
groundes to kil
vermin.

5 It is lawfull for euery person which will trauell for the taking of Crowes, and other vermin abouesaide, to enter for the same purpose, into any place therfore conuenient, with the consent of the owner or occupier of the same, and there to vse such nets, ingins, and other reasonable deuises, as are meete for the taking and destruction of such vermin (handgunnes and crossebowes excepted.) Anno 8. El. 15.

Indurance of
the breeding of
other fowles.

6 This act shal not giue libertie to any person to vse any meane or ingin, for the destruction of crowes, or other the foresaid vermin; to the let or destruction of the building or breeding of any kind of haukes, Herons, Egrets, Paupers, Swānes, or Shouelers, or of any Doves, Dovehouses, Deere, or warren of Conies. 8. El. 15.

No allowance
for vermin kil-
led in warres,
dovehouses,
or in cities, &c.

7 No money shall be giuen to any person by force of this act for the head of any Bussard, Ringtaile, Iron, Polcat, Fitchewe, or Scote, taken in any Parke, Warren, or grounde imployed to the maintenance of Conies, or for any Stares taken in Dovehouses, or for the head of any kite, or Rauen killed in any Citie or Towne corporat, or within two miles of the same same. 8. El. 15. 14. El. 11.

Custos Rotulorum.

The lord chan-
cellour shal ap-
point the custos
Rotulorum.

The Chauncellor of England, or lord Keeper of the great Seale for the time being, shall from time to time without any bill to be assigned with the Queenes hande, name and appoynt such person to be Custos Rotulorum, within euery shire of this Realme of England, Wales, and other the Queenes dominions, marches, and territorics of the same, as by the discretion of the said Lorde &c. shall be thought meete to haue and exercise the same. And the sayde person so appointed shall and may exercise and enioy the same office of Custos Rotulorum by himselfe, or by his sufficient deputie or deputies. 3. E. 6. 1.

These may ap-
point the Cu-
stos Rotulorum.

2 But the Bishop of Yorke, of Durham, of Ely, and euery of their successors, the Chauncellor of the Duchy of Lancaster for the time being,

being, and euery person, corporation, & body corporat, which haue authoritie, by lawfull meanes, to ordeine any of þe sayde offices of Custos Rotulorum within any place, shall and may enioy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. Ed. 6. 1.

Customes, Subsidies, Customers, Comptrol-
lers and Searchers.

A R. 1. El. A subsidie of tonnage was graunted to her Maiestie during her life. That is to say, of euery tunne of wine comming into this realme by way of merchandize, iii. s. And of euery tunne of sweete wine comming in by any marchaunt Alien, iii. s. more aboue the first iii. s. of euery Aune of renish wine brought in by any marchant xii. d. And also another subsidie of pondage was graunted; that is to say, of all goods of euery marchant Denizen & Alien, to be caried forth or brought into this realme by way of merchandize, of the value of euery xx. s. of þe same goods xii. d. And of euery xx. s. value of tinne and pewter vessell caried forth by any marchant Alien, xii. d. more besides the first twelue pence (excepting out of the said subsidy all woollen cloth made within England,) and by any marchant native bozne Alien, to bee caried forth. And all woollens, woolfels, hydes, & backes of leather, to bee caried forth of this realme, And all wines, fresh fish, and Bestiall comming into this realme. Also an other subsidie was graunted to her grace, vj. of euery marchant denizen of and for euery sacke of wool, xxiii. s. iii. d. for euery C. xl. woolfels, thre and thirty shillings and iii. d. for euery last of hides and backes, iii. li. vi. s. viii. d. Of euery marchant stranger, aswell denizen as other, for euery sacke of wool iii. li. vi. s. viii. d. of euery C. lx. woolfels, iii. li. vi. s. viii. d. of euery last of hides and backes, iii. li. xiii. s. iii. d. and so of all woollens, woolfels, hides and backes after the rate. If any marchandize aforesayde, whereof the subsidie is due to the Queenes maiestie, shall bee shipped to the intent to bee caried beyonde the seas, or els be brought from thence into any place of this Realme, and there layd on land by way of merchandise (the subsidie due for the same not payde, or the collectour of the same or his deputis, with the agreement of the comptroller and surueyours, or one of them not agreed within the custome house) the same shall bee forfeited to the Q. & to him that will seise or sue for the same. But if any goods, merchandizes, woolls, woolfels, or leather, or any part thereof, of any marchant denizen naturally bozne the Queenes subiect, which shall passe out of this realme during the time of this graunt, shall happen to be taken with enemies or pirates vpon the sea, or perished by infortune in any ship

Subsidie of
tonnage and
pondage.

A subsidie of
woollens, woolls
fels, leather.

Merchandize
transported &
the subsidie not
payd.

that shall be taken or perished, whereof the subsidies due to the Q. shall be (in forme aforesaid) duly payed or agreed for, and that founde and proued before the Treasurer of Englande, or the chiefe Baron of the Eschequer by the examination of the marchantes if they be aliue, or of their executors or administrators, if they be dead, or two credible persons or other reasonable witnessses sworne, then the same marchants denizens (owners of the same goods perished or lost) if they be aliue, or their executors & administrators if they be dead, and euery of them, when them liketh, shall newly shippe as much other marchandizes &c. in the port or portes, in which the other perished were shipped, without any subsidie to be paid to the Queene. And all profittes of the premises so to be lost, shall be certified by the Treasurer or chiefe Baron into the Chancery, there to remaine of record, And after such certification, the Chauncelor or Lord Keeper, shall make vnto y^e said marchants, their executors or administrators, or to their attorney in that behalfe, as many & such writtes and warrants, to be directed as well to the collectors of the subsidie, or any, or euery of them, as to the Treasurer and Barons of the Eschequer shall be thought needefull, for the saide marchants, their attorneis, or the sayde collectors or any of them, to haue for the obtaining aswell of the shipping, as of the allowance thereof. 1. El. 19.

Denizen ship-
ping in a Car-
ricke or Gallie
shall pay cus-
tomie as an
Alien.
Customie of
sweete wines.

2. ¶ Every marchant denizen that shall shippe any wooll, woollfells, hydes, or other goods and marchandizes in any Carricke or galley, shall pay to the Queene all maner of customes, and all the foresaid subsidies, as any Alien bozne out of this realme. 1. El. 19.

3. ¶ Like Custome and subsidie shall be payed for such sweete wines which come through the straytes of Harrocke, other wise Pallegay, being brought from the same place, where the Palmesey is, & of the same nature of Grape, as is and hath bene accustomed to be paid for Palmeseis. 1. El. 11.

The custome
of cometrans-
ported.

4. ¶ The Queene, her heires and successors, shall receiue by the Customers and officers of her portes, for the custome or pondage of euery quarter of Wheate to be transported (by force of the statute made, 13. El. ii. d. and of euery quarter of any other graine, eight pence. And of euery quarter of Wheat that shall be by any speciall licence transported (and not by force of the said statute) ii. s. and of euery quarter of other graine xvi. d. notwithstanding any woordes that shall be contained in any licences to the contrary, which sayde severall summes so taken as custome or pondage, shall be in full satisfaction of all maner of custome or pondage for the sayde cozne and graine, by any constitution, order, statute, lawe, or custome heretofore made, vsed, or taken

taken for transporting of any such maner of coyne or graine, 13. El. 13. S. Corne. 7.

5 **E**very subiect of the Queenes, that shall transporte in any shippe, or other vessels, of any of the Queenes subiects with crosse sailes, any herring, or other sea fish, taken upon the seas by any of the said subiects out of any Port or Harbrough of this Realme shall bee free from payment of any custome, Subsidie, or Bondage money for the same fish, 5. El. 5. 13. El. 11. S. Shippes. 1.

Sea fish transported with-
out custome.

6 **E**verie person that shall shippe, or cary any leather, Tallowe, or rawe hydes, beyonde the sea, (other then Scottish hydes brought to Berwicke out of Scotland, 5. El. 8.) shall pay to the Q. her heires & successors for every hide so caried by the name of a Subsidie 1. s. For every dozen of calves skins, iii. s. iii. d. And for every C. pound weight of Tallow, vi. s. viii. d. And all Customers, Comptrollers, Farmours, & superuyors of customes and subsidie shall bee accomptant to the Q. &c. to pay the sayd custome and subsidie for all such goods entred and laden, upon paine to forf. the treble value, and to make fine and raunsome. 18. El. 8. 3. W. 6. 3.

The subsidie of
lether, calnes
skinner, and
Tallow.

7 **I**f any Leather wrought, cut, or unwrought to the intent to bee solde or bartred, shall be unlawfully transported or purposed to be transported beyonde the sea out of any port, haven or creeke of this realme, or Wales, every comptroller, customer, surueyours, collector of Tonnage and Bondage, and searcher, and the deputie of any of them, or any other person hearing or knowing of any leather meant to be transported from any place within his office, and doe not his best indeuour to seile the same, or being transported do not disclose or cause to bee disclosed the same, within xl. dayes next after knowledge or hearing of the same in some court of record, so as the offender may be punished according to the law, hee shal for the first offence forfeit C. li. and for the second, lose his office, And every Customer, officer, or his deputie, that shall make any false certificat of the arrival of any Leather in any Port, Creeke, or place of this Realme, shall forfeit for every offence C. li. 5. El. 8.

On whatfall
leather.

8 **N**o English merchant shall pay for the custome of a sacke of wooll, but vi. s. viii. d. 14. Ed. 3. 21. No marchant Alien or Denizen shall be compelled to pay any custome for their Canuile or Corners with which their woolles be packed, 34. Ed. 3. 19.

Custome of
woolle.

9 **E**very Customer or Comptroller shall take sufficient surertie of every marchant Alien, Vicailer, or other straunger to employ the money receiued for his marchandize, upon the commodities of this land, or to put the same money for the marchandize receiued

Suerties of
strangers to
employ their
money recei-
ued &c.

Customes, Subsidies, Customers &c.

in due paiment, (his reasonable expences deducted) vpon paine of
forfeiture of the value of the sayd marchandize to the *M. & T. &c.* 3. *H.*
7. 8. 17. *Ed.* 4. 1. *S.* Marchants. 9.

*Silkes shall
bee turneped &
measured by
the Customer.*

10 **I**f any marchant denizen, or straunger shall sell, or offer
to sell any cloth of Gold, siluer, Botwokin, Veluet, Damaske, Sat-
ten, Tartaron, Chamlet, or other cloth of silke, or any Coyle of silke
and of gold, or any coyle of silke made beyonde the sea, befoze the col-
lectors of the subsidie of Tonnage & Poundage, and the Comptroller
of the same, in the port where such marchandize is set vpon land, haue
surueyed, measured, and sealed euery piece thereof, in the one end with
the seale ordeined for the same, he shall forf. the same or the value there-
of, 12. *Ed.* 4. 3. And if any collector, Cōptroller, or any of their Clerks
do take any thing for sealing any of the foresayde peeces, hee shall forf.
for euery time xx. li. And if any of them doe vnrasonably delay any
marchant about the sealing of such marchandize, he shall forsaite for
euery offence xl. s. to the *M. and W.* greued, to bee recovered by *A. T.*
& c. wherein no *M. &c.* *E. W. &c.* 4. *H.* 8. 6.

*The officers
shall take no
reward nor be-
lay the mar-
chant.*

*Aliens made
denizens.*

11 **A**ny person made or to bee made Denizen shall pay for his
marchandize like custome & subsidie inward & outward, as hee shoulde
haue paide befoze he was denizen. 1. *H.* 7. 2. 11. *H.* 7. 4. 22. *H.* 8. 8.

*Englishmen
subiect to o-
ther pynces.*

12 **E**uery subiect bozne in Englande, and swozne to bee subiect
to a foreine Prince, so long as hee shall abide and bee subiect to a for-
eine Prince, shall pay such customes, subsidies, tolles and other im-
positions win this realme, as other strangers of those partes where
the saide English man maketh his habitation, vse to pay. But if after
any such person doe retorne into the Realme here to inhabit, then hee
shall bee restored to such liberties, in paying of customes and other
charges, as other English men vse to pay, and haue a writ out of the
Chauncerie for the same. 14. *H.* 8. 4.

*Goods brought
into one port &
then remoued
to another.*

13 **E**uery marchant which shall bring any goods into any
port in this Realme, and there doeth enter the same in the Custo-
mers bookes, and pay vnto him the Queenes duetie, and will after
carry the same goods from thence, into any other Port within this
Realme, shall bring from the Customers of the Port where the
goods were entred, a certificat vnder their scales directed vnto the
customers of the port whereto the goods shall bee conueyed, making
mention therein of the colour, length, weight, content and value of
all the goods so entred, and the customer, or officer to whom such cer-
tificat shall come, shall take nothing for the sight of the same goods.
And if any of the sayde goods shall bee discharged, unpacked or put to
sale within any port (other then the same where they shall be first en-
tered)

treb) before the sayde certificate be deliuered, and the same goodes seene, then they shall be forf. to the Queene and him that will proue such forfeiture. 3. H. 7. 7. 3.

14 **C**If a certificat be made by the customer of any port whereunto such marchandizes shalbe first brought, & there in their books entered, not making mention as is aforesaide, the customer shall lose his office, and make fine to the Q. at her pleasure. 3. H. 7. 7. The custome and subsidie of all wollen clothes to be shipped and carried ouer the sea (wherefoeuer they be packed) shall be payed to the customers of the porte where any such clothes shall be laden or shipped, or to their deputies. 11. H. 7. 6.

Certificat entered into the customers books.

Wollen clothes packed in one port & shipped in another.

15 **E**uery customer, or comptroller which will not write, and deliuer sufficient warrants sealed with the seale of their office, to any marchant shewing and duely customing his marchandizes in the discharge of the same (without any thing receiuing therfore) but onely the due custome, shall forf. for euery offence to the Q. x. li. and to the marchant grieved v. li. for the which the sayde marchant shall haue an action. 11. H. 6. 15.

Warrants of discharge to a marchant paying the due customes.

16 **N**o person, denizen or stranger, shall enter into the bookes of any Customer, or other officer of any port or Hauen, or his deputie or seruant any goods, wares, or marchandizes whatsoeuer brought into the Queenes dominions, or to be transported forth of the same, in the name of any other person then the very true owner of the same goods, being not solde or bargayned for, by any person before such entre, or before the arrivall of such goods or marchandizes into the partes beyonde the sea, vpon paine of forfeiture of the value of the goodes so entered. 1. El. 11. 1. H. 8. 5. 14. Ed. 3. 21. And whosoever doeth cocket wolles but in the name of him whose the wolles be, shall forfeite them. 13. R. 2. 9. 29.

No man shall enter goods in another mans name.

Cocketing wolles.

17 **I**f any marchant stranger, denizen, or other the Queenes subiect, shall custome any goods or marchandizes of any other, whereby the Queene shall lose her custome, Subsidie, or other right, or duetie, he shall forf. al his goods & cattels personals for euer, to the Q. and J. that will sue within thre yeeres, to be recovered by A. J. &c. wherein no W. &c. E. H. &c. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.

Customing of others goods whereby the Queene loseth her duetie.

18 **I**f any person inheriting in the cinque portes, or other being free of pylage or butlerage of wines by graunt, custome, or otherwise, doe custome the wines of any other person being not free, he shall forfeite all his goods and cattels personals to the Q. and J. that will sue within thre yeeres, to be recovered by A. J. wherein no W. &c. E. H. &c. 1. H. 8. 5. 2. E. 6. 22.

Custome of wines.

Customes, Subsidies, Customers &c.

Wasse Metall
remoued from
one port to an
other.

19 ¶ If any customer, comptroller, or his deputie will suffer by coin or other vndue meanes, any person after that his Wasse, Lat-ten, Copper, Pettall &c. is shipped or caried, contrary to the meaning of the statute in that case provided, to make an obligation without date for the discharge and certificate of his mettall, then he shall lose his office, and the value of the mettall. And if any customer or Searcher doe willingly suffer any of the mettalles aforesayde to be shipped contrary to the meaning of the said act, or els hauing knowledge that it is secretly shipped, or caried, do not seise the same to the Queenes vse, then he shall lose his office, and the value of the said metall. 33. H. 8. 7. 2. Ed. 6. 37. S. Brasse. 3.

Common offi-
cer of a towne
shalbe no offi-
cer in the cus-
tome there.

20 ¶ If a common officer, in any Citie, borough or Towne, or his deputie do take vpon him to be Customer, Comptroller or searcher in any Port in the same Citie, borough or towne, hee shall forfeite for euery halfe yeere that he occupieth both the sayd offices. x. li. to the Q. & J. &c. 3. H. 7. 7.

No customer
shall haue a
ship, vse mar-
chandize, kepe
a wharfe, an
Inne, or be a
factor.

21 ¶ If a customer, comptroller of the custome, clerke, deputie, minister, Seruant, Factor, or searcher, Comptroller or surueyours of searches, or any of their clerkes, deputies, ministers, or factours shall haue any ship of his owne (14. R. 2. 10.) or shall buy or sell by way or colour of marchandize, or medle with the freighting of ships, or haue or occupie any wharfes or keyes, or keepe any Inne or Tauerne, (17. H. 4. 2.) or shalbe factour or attorney for any marchant denizen or alien, or shall be hoste to any marchant stranger, he shall forfeit. for euery such offence xl. li. to the Q. & J. &c. 20. H. 6. 5.

Customer con-
cealing the
Queenes cus-
tome.

22 ¶ If any customer, collector, or comptroller of the Queenes customes, of cockets, of clothes, subsidies, Tonnage or Bondage in any place of this realme, doe falsely conceale the Queenes custome or Subsidie, duely entred and payed by any marchant, and be thereof duely attainted or conuicted at the Queenes suite, he shall forfeite the treble value of the marchandize so duely customed, and also pay a fine. 3. H. 6. 3. And euery customer vpon the yelding of his accompt in the Eschequer shall be sworn to answer to the Queene all profitcs without fraude. 4. H. 4. 20.

The Customer
sworne.

Which Cust-
mers may
make deputies
and which not

23 ¶ The customers and comptrollers in euery port of England shall abide vpon their offices in their proper persons, without making any deputie or Lieutenant in their names. 1. H. 4. 13. And therunto they shalbe sworn, and he which doeth the contrary shall forfeit. C. li. and bee imprisoned, and the like summe shall a searcher, and the Lieutenant of the Queenes chiefe Butler forfeite if he do not abide vpon his office, or do make deputie. 4. H. 4. 20. But the customer of Lynne shal haue a
seruant

seruant or deputie, continually resident at the Citie of Yorke: And euery other Customer, comptroller, and searcher of euery port shal assigne to and in euery of the portes of London, Southampton, Bristolowe, Westchester, Newcastle, and the suburbes of the same, and in euery porte, creeke or Rode (where the seruant of any of them haue bene continually resident by the space of x. yeeres, or hereafter shalbe) one able and sufficient deputie or seruant at the least. 1. El. 11.

24 **C**If a Customer, Comptroller, Sager of wines or Searcher, be absent from his office by the space of iii. weekes, hee shall lose his office, except hee bee commaunded to be in some of the Queenes courtes of record, or otherwise in the Queenes seruice of record. 1. H. 4. 13. 4. H. 4. 20. 13. H. 4. 3.

A Customer shall continue vpon his office.

25 **C**Aswell euery Customer, Comptroller, and Searcher, as euery of their deputies and seruants, shall from time to time do their diligent attendance at the houres, times and places (appointed by the statute made 1. El. for laying on land marchandizees) in the Customs house and else where, as it shalbe most conuenient for the speedy dispatch of the marchant, his wares and marchandize, and for the due execution of the foresaid act, in such thinges as to him shall appertaine, without concealment or consenting to any thing, which may bee to the dammage of the Q. her heires or successors, in the iust answering of her customes & subsidies, vpon payne that euery such customer, comptroller, & searcher shall for, for euery offence his office, & C. li. to the Q. & I. wherein no W. & C. E. P. J. &c. And if any officer pertaining to the subsidie or Customs, doe knowe any offence committed contrary to any article of the sayde stat. and doe not disclose it within one moneth, to the chiefe officer of the same port, or to the Lord Chauncello, Treasorer, Barons of the Eschequer, or attorney generall &c. hee shall for, a C. li. 1. El. 11. S. Marchants. 5.

Officers of the Customs shalbe attendant.

1 That no Brasse, Copper, Mettall, &c, shalbe shipped but out of a port where there is a Customer. S. Brasse. 5.

2 What bondes, and vpon what paine a Customer shall take for the carrying of Brasse or other mettall from one port of this realme to an other. S. Brasse. 3.

3 That masters of Ships shall declare vnto the Customers when they goe forth, and when they returne. S. Marchants. 7. 8.

4 For the Customers duetie in receiuing and selling of Hattes brought from any partes beyond the sea, and the owners in paying of Customs. S. Hattes. 8. 9. 10. 11.

5 What custome Aliens shall pay for salted fish and salted Herrings, brought into this Realme. S. Fish. 19.

Where

Damages.

Damages
where the pl.
doth delay his
suite, doth dis-
continue, or is
nonsuit.

Where any person shall sue forth or procure to bee sued forth of the kinges Bench any (Latitar, Alias, or pluries Capias) against any person which vpon the same shall bee arrested, or appeare vpon the returne of any the said writtes or proces, and shall put in his baile to answer such as shalbe objected against him, then if the partie at whose procurement the same writ or proces was obtained, doe not within iii. dayes next after such bayle taken, put into the same court his declaration against the same party against whome such writ or proces shall bee sued, or if after declaration had, the pl. shall not prosecute the same with effect, but shall willingly and apparently to the same court) suffer his suit to bee delayed, or shall after declaration suffer the same suite to bee discontinued, or shall bee nonsuit in the same, then the iudges of y^e said court shall by their discretions, as they shall perceiue any such default to bee in the partie, at whose procurement such writs or proces was sued forth, awarde to euery such person so arrested or troubled by such writs or suit, his cost, and damages, & charges by any meanes sustained, or occasion of any such writtes, proces, arrestes or suites to bee payed by such person, that so shall cause any such writtes or proces to bee sued forth, 8. El. 2.

Suites in the
Marshallp,
& in corporate
townes,

2 ¶ If any person shall cause any other person to bee attached or arrested to answer to any bill, plaint, accion or suite in the court of the Marshallp, or in any court within London, or in any Citie, Borough, Towne corporate, or other place, where any priuiledge is bled to holde plea in any accion personall, and do not in all courts (hauiug their continuance de die in diem) within iii. dayes next after the defendant shalbe bailed, or otherwise appeare in court by force of any arrest or attachment had and returned, and in all other courtes at the next sessions or court to bee holden after such arrestes or attachementes and apparance of the def, whereas the sayde def. ought to appeare (vnles a further day shalbe especially giuen by the discreti- on of the court from whence any precept, proces or attachement shalbe awarded) exhibite his bill or declaration against such person as so by his meanes shalbee attached or arrested, into such court where the partie ought to appeare, or if any such person at whose suite any such attachement or arrest of any person shalbe so made, after his declaration, bill, or plaint exhibited, doe not from thenceforth prosecute the same his suite with effect, or shall suffer the same to bee discontinued, or shall after bee nonsuit in the same or willingly & apparant- ly to the same court, shall for veration of the def. delay the same suite, then the Iudge or Iudges of euery such court, shall forthwith by his or their discretion, as hee or they shall perceiue any such default or de-
lay

lay in the partie that procured any attachement or arrest to be had, award to every such person, which shalbe so attached or troubled, his costes, damages, & charges by any meanes sustained; by occasion of any such attachement, arrest, and suite so had against him, to be paid by such person that so shall cause any such attachement, or arrest to be so made. 8. El. 2.

3 ¶ If any person shall by any meane maliciously, or for vexation procure any other person to be arrested or attached, to answer in any the courtes or places aforesayde, at the suite or in the name of any person, where in deede, there is no such person knowen, or without the consent of such person at whose suite, or in whose name such arrest or attachment shalbe so had, then every person that shall so procure any such arrest or attachment, and shall thereof bee convicted, or lawfully accused by indictment, presentment, or by the testimonie of two sufficient witnesses or moe, or other due proove, shall for every such offence by him committed or procured, suffer imprisonment vi. monethes without baile or mainprise, and before he shalbe deliuered out of the prison, shall pay vnto the partie so arrested or attached by his meanes treble the costes, charges, damages and expences, that hee shalbe put vnto by reason of such attachment so had, and shall also pay vnto such person in whose name or at whose suite he shall so procure such arrest or attachment to be made (if then there shall bee any such person knowen) x. li. for every such offence. 8. El. 2.

Arresting of a
ny person at
another's suit,
not knowing
thereof.

4 ¶ Every person to whom any costes, charges, damages, forfeiture, or payment of any money, by this acte shalbe awarded, or forfeited, may at all times haue his remedie for the recouery thereof by A. of debt, bill, or playnt, in any court of record, against such person, his heires, executors or administrators, as ought to pay the same, by force of this act, wherein no W. &c. E. &c. 8. El. 2.

A remedie for
forfeitures
aforesaid.

5 ¶ If any defendant or tenant, against whom iudgement to recouer is giuen, or if any other that shalbe bounde by the sayde iudgement, sue before execution had, any writ of Error, to reuerse any such iudgement in delaying of execution, then if the sayde iudgement bee affirmed good in the sayde writ of Error, and not erroneous, or that the sayde writ of Error be discontinued in the default of the partie, or that the person that sueth such writ of Error be nonsued in the same, then the said person against whom the said writ of Error is sued, shall recouer his costes and damages for his delay and wrongfull vexation in the same, by discretion of the Justice before whom the sayde writ of Error is sued. 3. W. 7. 10. 19. W. 7. 20.

Damages in a
writ of Error
sued before
execution.]

6 ¶ If any person doe commence, or sue in any court of record,

or

Dammages.

The def. shall
reouer his
costes in these
accions, if the
pl. be nonsuit,
or the verdict
passe against
him.

or in any other court, any accion, bill or plaint of trespasse vpon the statute of 5. R. 2. 7. for entries into landes and tenements where no entrie is giuen by the law, or any accion &c. of debt, or couenant, vpon any specialty made to the plaintife, or vpon any contract supposed to be made betweene the plaintife and any person, or any accion &c. of Detinue of any goods or cattels, whereof the pl. shall suppose that the proprietie belongeth to him, or any accion &c. of accompt, in which the plaintife suppose the def. to be his bailife or receiuor, of his manor, money, goods &c. to peeble accompt, or any accion &c. vpon the case, or vpon any statute for any offence or wrong personall immediately supposed to bee done to the plaintife, and the pl. in any such accion, bill or plaint after apparance of the def. bee nonsuted, or any verdict happen to passe by lawfull triall against the pla. in any such accion, bill or plaint, Then the def. in euery such accion &c. shall haue iudgement to reouer his costes against euery such pl. And that shalbe assessed by the discretion of the Iudge or Iudges, of the court where any such accion, bill, or plaint shalbe commenced, sued or taken, And also euery def. in such accion, bill or plaint, shall haue such proces, and execution for the recouery of his costes against the same pl. as the same plaintife shoulde or might haue had against the def. in case that the iudgement had bene giuen therein for the plaintife. 23. H. 8. 15.

He that is allowed in Forma pauperis shall not pay costs, but be otherwise punished.

7 ¶ But all & euery such pooze persons, being plaintifes, in any of the said accions, billes, or plaints, which at the commencement of their suites, or accions be admitted by discretion of the Iudge or Iudges where such suites shall be pursued or taken, to haue their proces and counsaile of charitie without any money paying for the same, shall not be compelled to pay any costes by this statute, but shall suffer other punishment, as by the discretion of the Iustices or Iudge befoze whom such suites shall depend, shalbe thought reasonable. 23. H. 8. 15.

Auowant shall reouer costs and damages against the pl.

8 ¶ Euery auowant, and euery other person and persons, that make any Auowrie, Justification, or Cognisaunce, as Bayly or seruuant to any person or persons in any replegiarie, or second deliuerance, for rents, customes, seruices, or for dammage felant or other rents, vpon any distress taken in any landes or tenements, if the same auowrie, conuulance, or iustification be found for them, or the plaintifes in the same be nonsuit, or otherwise barred, then they shall reouer their damages and costes against the said plaintifes, as the same plaintifes shoulde haue done, if they had recouered in the replegiarie or second deliuerance found against the sayde defendants. 7. H. 8. 4. 21. H. 8. 19. S. Auowrie. 2.

9 ¶ Albeit the plaintife shalbe nonsuted in any whatsoeuer accion,

on, suite, bill, or plaint commenced or sued to the use of the Queene, her heires or successors, kings of England, or that it shall happen any verdict to passe against any such plaintife in any such action &c. the defendand shall not recouer any costs against any such pl. 24. H. 8. 8.

Sections sued to the Queene's use.

10 ¶ If any informer, or pl. upon any penal statutes shall willingly delay his suite, or shall discontinue, or be nonsuit in the same, or shall haue the triall or matter passe against him therein by verdict, or iudgement of lawe, in euery such case he shall pay vnto the def. his costes, charges and dammages to be assigned by the court, in which the same suite shall be attempted, for the recouerie and execution whereof, the def. shall immediatly vpon the same costes, charges, and dammages assigned, haue his Capias ad satisfaciend. Fieri facias or Elegit, to bee awarded vnto him out of the same court in which the same shall be so assigned. 18. El. 5. to endure to the end of the first session of the next parliament. S. Accion popular. 4.

The informer shall pay costs and dammages.

11 ¶ If disseisors doe alien their landes, and haue not whereof dammages may be leuied, they to whose handes such tenements shall come, shall be charged with the dammages, so that euery one of them shall be charged with dammages for his time. And the disseisor shall recouer dammages in a writ of entry vpon disseisin, against him which is found tenant after the disseisor. Gloucester. 6. Ed. 1. 1.

The alienor of the disseisor charged with damages.

Entre sur disseisin.

12 ¶ Dammmages shall be awarded, where a man recouerech by Assise of Mordaunce, Cosinage, Aiel and Besaie, Gloucester. 6. Ed. 1. 1.

Mordaunce, Cosinage, Aiel, Besaie.

13 ¶ In all cases where the demaundant shall recouer dammmages (being the value of the issues of the lande) there he shall also recouer against the tenant, the costes of his writ purchased, with the sayde dammmages. Gloucester. 6. Ed. 1. 1.

Where dammmages shalbe recovered, there costes shalbe also.

14 ¶ Euery man shalbe compelled to render dammmages, where recouerie is had against him vpon his owne intrusion or acte, which dammmages shall runne after the writ purchased against him though his auncestour died seised thereof. 6. Ed. 1. 1.

Recouerie vpon his owne intrusion.

15 ¶ The Queene in all suites to be taken, vpon any specialtie made to her grace, or any to her use, shall recouer her iust costes and dammmages as other common persons vse to doe, in suites for their debtes. 33. H. 8. 39.

The Queene shall recouer costes and dammmages.

16 ¶ That a woman shal recouer damages in a writ of dower, from the death of her husband. S. Dower. 1.

17 ¶ Where treble damages shalbe recovered vpon assise of common of pasture. S. Approuements. 5.

L.i.

Dilapidations.

Dilapidations. Disceipt.

Fraudulent
deedes to de-
feat the succes-
sors of their
remedie for di-
lapidations.

If any Archbysshop, Bysshop, Deane, Archdeacon, Monast, Treas-
sorer, Chaunter, Chaunceloz, Prebendary, or any other hauing any
dignitie or office in any Cathedral or Collegiat Church within this
Realme, or any Parson, Vicar, or other incumbent of any ecclesiasti-
call liuing whereunto doe belong any houses or buildings, which by
lawe or custome he is bound to maintaine in reparation, doe suffer
any of his sayde houses or buildings to fall downe, or runne in decay,
and after doe make any deede of gift, alienation or other conueyance
of his moucable goods or cattels, in his life time, to the intent af-
ter his death to defeat his successors of such iust accions and reme-
dies as otherwise they might haue had for the same, against their ex-
ecutors, or the administrators of their goods, then the successors of
him which shall make such deede &c. shall and may commence suit, and
haue such remedie in any court ecclesiasticall within this Realme,
competent for the matter against him or them to whome such deede
of gift or alienation shalbe so made, for the amending and reparation
of such dilapidations, or iust recompence for the same as hath happened
by his fact or default, in such sort as he might, shoulde or ought lawfully
to haue, if he or they to whom such deede of gift were made, were ex-
ecutor of him that made such deede &c. or administrator of his good &c.
13. El. 10.

Money reco-
uered for dila-
pidations, shal
be imploied in
reparations.

2 **W**hosoever doth recouer any summes of money, for or in the
name of Dilapidations, by sentence, composition, or otherwise, and
doeth not within two yeeres after the receipt thereof cruelly imploie
the same vpon the buildings, and reparations, in respect whereof such
money or dilapidations shall be payed, shall forf. double so much to the
Queene as shalbe receiued and not imploied. 14. El. 11.

Deceipt.

If any Seriant, pleader or other, doe any disceipt in the Queenes
Court, or doe consent thereunto, to deceiue the Court or partie, and
is thereof attainted, he shall be imprisoned a yeere and a day, and being
a Councelloz, shall not any more be receiued to pleade in the Queenes
Court for any man. And if he be any other then a pleader, he shalbe im-
prisoned as aforesaid. And if the trespassse require a greater punish-
ment, it shalbe at the Queenes pleasure. West. 1. 3. Ed. 1. 29.

2 **A** writte of disceipt holdeth place and is maintainable as well
in place of garnishment which toucheth plea of land where such gar-
nishment is giuen, as in case of summons of plea in land. 2. Ed. 3. 17.
Northampton.

Discontinuance

By the death, or demise of the Queenes Maiestie that now is, or of any that hereafter shall bee King or Queene of this Realme, any action, suit, bill or plaint, that shall depend betweene party and party in any of the Queenes Courts, and other courts of recorde, shall not in any wise bee discontinued, or put without day. But the Proces, Pleas, Demurres, and continuances in euery action, actions, suites, billes, or plaintes, which shall depende, shall stand good, & bee prosecuted, and sued forth, in such maner and forme, and in the same estate, condition and order, as if the same King or Queene had liued. And all maner of iudiciall proces, that shall bee pursued in the time of y^e reigne of any other King or Queene, then reigned at the time of the pursuite of the originall, or other former proces, shalbe made in the name of the King or Queene, that for the time shall reigne and bee King or Queene &c. And variance touching the same proces, betweene the names of the Kings or Queenes shall not be materiall, as concerning any default to be objected therfore. 1. Ed. 6. 7.

Death of the King shall not discontinue any suite,

2 **E**uery assise of Nouel disseisin, assise of Mordauncester, Iuris vtrum, and Attaine, which shall bee arraigned, commenced or sued before any Iustices of Assise, shall not bee discontinued, or put without day, by reason of death, newe commission, association, or not comming of the same Iustices, or any of them, but shall stande good in the lawe, to all intents, the death, newe commission, association, or not comming of the same Iustices or any of them in any wise notwithstanding. 1. Ed. 6. 7.

Death, newe commission or association of Iustices maketh no discontinuance.

3 **A**lbeit any demaundant, or plaintife in any action, bill or suit, shalbe made Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Iustice of the one Bench or of the other, or Seriant at law, depending the same accion &c. yet no writ, accion or suite, shal for such cause, be abatable or abated, but shal remaine in like force, as the same was before. 1. Ed. 6. 7.

No preferment of the plaintife to a name of dignitie shal abate his suit.

4 **A**lbeit any person being Iustice of Assise, Iustice of gaole deliuey, or Iustice of peace, within any the Queenes dominions, or being in any other of the Queenes commissions whatsoever, shall be made Duke, Archbishop, Marques, Earle, Viscont, Baron, Bishop, Knight, Iustice of the one Bench or of the other, or Seriant at lawe, or Sherife, yet he shal remaine Iustice and Commissioner, and haue full power to execute the same in like maner as hee might or ought to haue done before the same. 1. Edw. 6. 7. But no person exercising the office of the Sherife of any Countie, shall exercise the office of a Iustice of the peace by force of any Commission or otherwise, in any Countie where he shall be Sherife, during the time onely, that hee

Eueryone shal remaine iustice & commissioner, though hee be preferred to some dignitie,

No Sherife shal be Iustice of peace,

Dispensations, Distresse.

shall exercise the said office of Sherifwick. 1. P. 8.

*newe iustices
may giue indg
ment of a priso
ner found gilty
and repried.*

5 ¶ In all cases, where any person shalbee founde gilty of any Treaso, Murder, Manslaughter, Rape or other felony whatsoeuer, for the which iudgement of death shoulde or may ensue, and shalbe repried to prison without iudgement at that time giuen against him, Those persons that at any time shall by the Queenes letters patents bee assigned Iustices to deliuer the Gaole where any such person founde gilty shall remaine, shall haue full power to giue iudgement of death against such person so founde gilty and repried, as the same Iustices (before whome such person was founde gilty) might haue done, if their commission of gaole deliuerie had remained in ful force. 1. Ed. 6. 7.

*No suit before
Iustices shal
bee disconti
nued by a new
commission.*

6 ¶ No proces or suite made, sued or had before any Iustices of Assise, Gaole deliury, Oyer and Terminer, Iustice of peace, or other of the Queenes Commissioners, shalbe discontinued by the making and publishing of any newe commission, or association, or by altering of the names of the Iustices of Assise, Gaole deliury, Oyer and Terminer, Iustices of peace, or other the Queenes Commissioners, but the newe Iustices, and other Commissioners may proceede in euery behalfe, as if the olde commissions and Iustices and Commissioners had still remained not altered. 1. Ed. 6. 7. 11. P. 6. 6. S. Iustices of peace, 106.

Dispensations,

*Exactng for
dispensation.*

W Hosoever doeth exact, or receiue of any Suiter more for any dispensation, facultie or licence, then is contained in the duplicat bookes of Taxes, wherein is written the taxes of all customable dispensations, faculties, licences and other writings, wont to bee spedde at Rome, (one of which bookes doe remaine in the hands of y^e clerke of the faculties, and the other in the hands of the clerke of the Chancery, appointed for writing of licences, dispensations &c.) shall forfeite ten times so much, as he shall so exact and receiue, to the Queene, and to bee recovered by A. B. P. &c. wherein no W. &c. E. P. &c. 25. P. 8. 21. 1. Cl. 1.

Distresse.

*No distresse
shalbe giuen
forth of the
Hundred where
it was taken.*

W Hosoever shall driue any Distresse out of the Hundred, Rape, wapentake, or Lath, where it is taken, (except it be to a pound ouert within the same shire, being not aboue three miles distant from the place where it is taken) or shall impounde in seuerall places, goods distrained for any cause at one time, whereby the owner shall bee constrained to sue seuerall repleuies for the deliury of the same distresse,

*No distresse
shalbe impou
ded in seuerall
places.*

distresse, shall forsaite to the **J.** grieved for every such offence v. pound and treble damages. **1. & 2. P. & M. 12.** No man shall cause a distresse to be given forth of the Countie wherein it was taken. **Marlb. 52. P. 3. 4. West. 1. 3. Ed. 1. 16.**

3 **C** Whosoever doth take for keeping in pound, poundage, or the impounding of any whole distresse, above **iiii. d.** or doth take so much, where lesse hath vsually bene taken, shall for. to the **J.** grieved **v. li.** and so much as he taketh ouer the said **iiii. d.** **1. & 2. P. & M. 12.**

Poundage
money.

3 **C** No man shall for any cause distraine out of his fee, in the Queenes high way, or common streete, but the **D.** and her officers, **Marlb. 52. P. 3. 15. West. 2. 13. Ed. 1. 16.** Neither shall any man distraine in the auncient fees of the Church: but in such possessions as ecclesiasticall persons haue purchased of late, distresses may be taken. **Articuli cleri. 9. Ed. 2. 9.**

In what places
distresse
shall not be
taken.

4 **C** If any man distraine an other mans cattell, and bringe them into a Castell or Fortresse, and there hold them (being solempnly demaunded by the Sherife or Bailife) against gages and pledges, so that the Serife or Bailife can not make deliuerance of them to the owner, the Sherife or Bailife takinge with him **p** power of the county, shall beate downe the Castell, and the plaintife shall recouer double damages for all the losse which he hath receiued by his cattell, hinderance of his gaynage, or in other maner) after the first demaund of the cattell made by the Sherife or Bailife (against him that tooke the cattell, or against his lord, if he be not able to answer them, **West. 1. 3. Ed. 1. 17.**

A distresse im-
pounded in a
Castell.

5 **C** If any person take a distres of his owne authoritie, without award of the Queenes court, and thereof be conuicted, or if one neighbour take a distresse of another (whereby he hath receiued losse) without award of the Queenes court, he shall make fine according to the quantitie of the trespassse, and neuerthelesse sufficient amends shall be made to them which haue receiued losse by such distresse. **Marlb. 52. P. 3. 7.**

Damages for
a wrongfull
distresse.

6 **C** None shall distraine any to come to his court, which is not of his fee, or vpon whome he hath not iurisdiction by reason of his hundred or bailwicke, neither shall any man take a distresse without his fee, or the place where he hath iurisdiction, or bailwicke, vpon payne to make fine according to the quantitie of the offence. **Marlb. 52. P. 3. 2.** Neither shall any man distraine his freeholder to answer for his freeholde, or any thing thereunto belonging without the Queenes writ. **Marlb. 52. P. 3. 22.**

None but so-
rds shall be
distrained to
come to a
court.

7 **C** If any distraine his tenant for seruices and customes, which he claimeth to be due vnto him, or for any other thing, for the which the

Distresse.

The Lord shall
not make fine
for distraining
his tenant.

lord of the fee hath cause to distraine, and after it is found that the tenant doeth not owe him any such, the lord shall not therefore make fine, if he do suffer the distresse to be deliuered according to the lawe and custome of the Realme, but shall be amerced, and the tenant shall recouer his damages against him. Marlb. 52. H. 3. 3.

Excessive distresse.

8 ¶ Distresses shall bee reasonable according to the quantitie of the debt or damages, and not grievous, and he that taketh vnreasonable and excessive distresses shall be amerced, 51. H. 3. Marlb. 52. H. 3. 4. 28. Ed. 1. 12. S. Accomprants to the Queene. 45.

Distres by bailies knowne & swoyne.

9 ¶ No distresse shall be made, but by Bailifes which be knowne and swoyne, and they which do ootherwise, and thereof be conuicted, shall answer to the parties griued their dammages, if they thereof doe bring their action of trespass, and also shall be grievously punished by the Queene, West. 2. 13. Ed. 1. 37.

The owner may feede his cattell which be impounded.

10 ¶ If the Sherife, or any other doe distraine an other mans beasts, they whose the Cattell be, may giue them meat of their owne, without disturbance, or paying any thing therefore, whiles they doe remaine in the pound, 31. H. 3. de distric. scaccarii.

Plough cattell and sheepe shall not be distrained, if &c.

11 ¶ No man shall be distrained by his beasts which till his land, nor by his sheepe, for the Queenes, or any other persons debt, so long as one may finde an other distresse or other cattels sufficient, whereof to leuy the debt or thing in demaunde, except it be the impounding of beasts which a man findeth doing hurt, according to the custome of the realme, 31. H. 3. de distr. scacc. 27. Ed. 1. 12.

Selling of distresse.

12 ¶ No cattell nor other distresse taken for the Queenes debt, nor for any other thing, shall bee solde or giuen within xv. dayes after the taking thereof, 51. H. 3. de distric. scaccarii. But collectours appointed for the gathering of money towarde the repaire of any decayed bridge, haue power to distraine any person which shall bee taxed, and refuse to pay towarde the same, and to sell the distresse. 22. H. 8. 5. And the Church wardens of enery parish may distraine the goods of any parishioner, which is assessed to pay any money towarde the destruction of Crows, and other vermine, and doeth denie or doeth not pay the same, and the same distresse shall vse in such maner and forme, as distresses taken for amerciements in leetes. 8. Cl. 15. And euery Receyvor, Bailife, and Collector of the Queenes lands &c. for lacke of payment of the rents, issues and taxes within their offices, may distraine and sell the distresse. 7. Ed. 6. And collectors appointed for the gathering of money taxed in seuerall shires, towarde the making of a Gaole in the same shire, may distraine any person taxed, refusing to pay, and after 7. dayes sell the distresse. 23. H. 8. 2. 13. Cl.

25. And the Surueyors of wayes in euery parish may leuie the forfeitures by distresse, & sell the distresse. 18. El. 9. And the collectors for the poore may seise and sell the goods of him which bringeth into England or Wales any Vagabond or begger out of Irelande or the Isle of Man, for 11. s. which he hath forf. for the said offence, to the use of the poore of the parish, where any of the sayde persons were set on land. 14. El. 5. And all forfeitures made by reason of the statute made. 18. El. for the setting of the poore on worke, and for the auoyding of idleness, shall bee leuied by distresse, and sale of the offenders goods, to the value forfeited. 18. El. 3.

1. That euery Sherife shall appoint three Deputies to make repleuies, and deliuer distresses. S. Sherifes, 2. 1.

2. Where a man shall distraine out of his fee, for arerages of réts. S. Rents. 1. 2. 3.

3. That euery Receiuer, Collector and Bailiffe of the Queenes lands may distraine for default of paiement. S. Accompt. 14.

Dower.

A Widowe after the death of her husbände, incontinent shall haue her mariage & inheritance, and shall giue nothing for her dower, her mariage or her inheritance, which inheritance her husbände and she held the day of his death. And she shall tarry in the chiefe house of her husbände 41. dayes after his death, within which dayes her dower shall be assigned her, (if it were not assigned her before) or that the house bee a Castell, and if shee depart from the Castell, then a competent house shall be forthwith prouided for her, in the which shee may honestly dwell, vntill her dower be to her assigned, and shee shall haue in the meane time her reasonable estouer of the common, and for her dower shall bee assigned the thirde part of all the landes which were her husbands in his life time, except she were endowed of lesse at the Church doore. Magna Charta. 9. H. 3. 7. And if any doe deforce from a Widowe, her dower, or Quarentine of the teneementes whereof her husband died seised, and after the same widowe doeth by suite recouer the same, the deforceor shall peelde to the same widowe her damages, viz. the value of her whole dower from the time of her husbändes death, vnto the day of her recouerie by iudgement, and also the deforceor shall be amerced. Mert. 20. H. 3. 1.

1. If a wife do willingly forsake her husband, and goe away and continue with her adulterer, shee shall lose for euer her accion to demand her dower, which shee ought to haue of her husbändes landes, if shee be thereof conuict (except her husband will vpon his owne good

A woman that
haue her dower
rentine.

Elopement is
an adulterers
cause of loss, of
dower.

will, and without compulsion by the Ecclesiasticall law reconcile her, and suffer her to dwell with him) in which case her action shall be restored againe vnto her, 2. 13. Ed. 1. 34.

The wife endow-
ed, though
her husband
be attainted.

3. **C** Albeit any person shall be attainted, convicted or outlawed of any misprision of treason, murder, or felony whatsoever, yet every woman which shall be wife of the person so attainted shall be endowable, & enabled to demand and enjoy her dower, in like manner as though her husband had not bin attainted, convicted or outlawed. 1. Ed. 6. 13. But the wife whose husbande shall be attainted of any treasons whatsoever they be, shall in no wise be receiued to demand or haue dowry of any the lands, tenements or hereditaments of any person attainted of treason, during the said attainder in his force, any thing before mentioned to the contrary notwithstanding. 5. Ed. 6. 11. That if attainder of any person for any offence made treason by any of his actes made. 5. El. 1. 5. El. 11. 18. El. 1. shall not make any corruption of blood to any heire, nor the wife of the offender to forfeit her dower. 8. Forfeiture 2.

A woman shall
not haue both
Joyncture and
dower of her
husbands lands

4. **C** If any persons doe purchase, or shall haue estate conveyed in any landes, tenements or hereditaments vnto them, & to their wiues, and to the heires of the husband, or to the husband and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husband & to the wife for terme of their liues, or for terme of life of the saide wife: Or if any such estate or purchase of any landes &c. shall be made to any husbande, and to his wife in forme aboue expressed, or to any other persons &c. to the vse of the sayd husbande and wife, or to the vse of the wife, as is aboue rehearsed for the Joyncture of the wife, then in every such case, every woman married hauing such Joyncture made, shall not claime nor haue title to haue any dower of the residue of the landes, tenements or hereditaments that at any time were her said husbands, by whome she hath any such ioynture, nor shall demand nor claime her dower against the that haue the landes and inheritance of her sayde husband. But if shee haue no such Joyncture, then she shall be admitted to haue & demand her dower by writ of Dower, after the course of the common lawes. 27. H. 8. 10.

If a womans
joyncture be e-
uicted she shall
be endowd.

5. **C** But if any such woman be lawfully expelled or evicted from her said Joyncture, or from any part thereof, without any fraud or couin by lawfull entre, action, or by discontinuance of her husband, then shee shall be endowd of as much of the residue of her husbands tenements or hereditaments, whereof she was before dowable, as the same landes so evicted &c. shall extende vnto. 27. H. 8. 10.

6. **C** Provided, that if any wife shall haue any landes, tenements or hereditaments

hereditaments vnto her giuen or assured after marriage, for terme of her life, or otherwise in Joynture (except the same assurance be to her made by Act of Parliament) & the said wife after that fortune to ouerlive the same her husband, in whose tyme the sayd Joynture was assured vnto her, then y^e same wife may at her libertie, after y^e death of her husband, refuse to take the lands so to her giuen during the couerture in Joynture (except &c.) and thereupon demanda & take her dower by writ of dower, or otherwise according to the common lawe of & in all such landes, tenements & hereditaments, as her husband was seised of any estate of inheritance at any time during the couerture. 27. H. 8. 10.

A woman may chuse wher bee she will take a Joynture assured after marriage or her dower.

7 **C**A writ of dower vnde nihil habet, shall not bee abated by the tenants exception, for that the woman hath receiued her dower of another man, before the writte purchased, if he cannot shew that she hath receiued part of her dower of himselfe, and in the same towne, before the writte purchased. West. 1. 3. Ed. 1. 48.

Dower, vnde nihil habet.

8 **I**f a man being impleaded of a tenement doth plainly peele it to his aduersary, or doth lose it by default, in both cases after the death of the husbände, the wife shalbe allowed to bring her writte of dower, And the tenant which recovered by default in the suite commenced against him, shall shewe his right, that he hath in the land, according to his former writ, whereby he recovered against the husband. And if hee can shewe that the womans husband had no right in the landes in demand, nor any other but himselfe, he shal go quite, and hee shall recover nothing by her writ of dower. But if he cannot shew it, the woman shal recover his dower. West. 2. 13. Ed. 1. 4.

A woman may dowerable of lands which he recovered against y^e husband, by collusion or default.

1 For Dowment by the custome of gavelkinde, & what cause of forf. thereof, S. Prerog. 16.

2 That the Queene shall haue the reuersion, if ternaunt in dower die, during the minoritie of her ward, S. Willes. 9.

3 For admeasurement of dower by the gardein or heire. S. Admeasurement. 1.

4 That where the Queenes ternaunt in chiefe doeth intrude and dye, his wife shall not be endowed, S. Prerog. 13. Liuerie. 2.

5 That the grauntee or committee of a Ward shall not haue aide of the Queene in a writte of dower. S. Ayde. &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in the reuersion may enter or haue his accion. S. Women. 1. 2.

7 That a woman shall haue her dower though her husband bee attainted of any of the offences made Felonie by the stat. 23. El. 2. S. Newes. 7. Felony. 33.

**A Table declaring the length, breadth and weight of
all wollen cloth which is allowable to be made within
England and Wales, to be put to sale.**

	Length.	Breadth.	Weight.	Stat.
1 Cloth of Ray to be measured by the list, and the D. cloth according to the rate, shall vpon payne of forfeiture of the same, containe	28. yards & beyng watered 24.	6. quarters.		2. Ed. 3. 15. 7. H. 4. 10. 13. H. 4. 4.
2 Euery peece of whyte playne straytes made in the Countie of Deuon & Cornwall, ready dressed to put to sale, shal vpon payne of forf. of them or the value, containe	12. yards at the least,	1. yard at least,	11. pouñd at least,	7. Ed. 6. 9.
3 Euery peece of white pinned straytes made in the sayd counties &c, shal vpon payne of forf. of them, containe	11. yards at least.	3. quarters.	8. pound	7. E. 6. 9.
4 Euery peece of Lancashire Cottons (which shall not be strained vpon the Taynters aboue one nayle in breadth, beyng sufficiently milled and thicked, cleane scoured, well wrought, and fully dryed, shal vpon payne to forf. for euery pound weyght lacking vnder 3. xii. d, and for euery pounce aboue v. s. containe &c.	21. or 20 goads at least,	3. quarters or within one nail at least,	21. pouñd at least,	8. El. 12.
5 Euery peece of Lancashire Frizes or rugges being vt supra, shal vpo the paine afore sayd, containe If any of the said Cottos, frizes or rugs shalbe of any greater length, Then euery yarde so exceeding, shall waygh after such rate as &c, vpon payne of	betwixt 35. & 37. y.	3. quarters at most or within one nail at least.	43. pouñd at least,	8. El. 12.

The Table of Drapery.

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	Length.	Breadth.	Weight.	Stat.
of sort, for every yarde, not weighing after the rate, xii. d.				
6 Every peece of broad clothe made in Kent, Suffex, Reding, or els where of like making, as the clothes made there, shall containe	betwixt 28. & 30 y. wette.	7. quarters at least within the listes.	86. pound thicked and fully dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
7 All white clothes made in the Citie of Worcester, called long worcesters, and all clothes of like making made in Couentry or els where shall containe	betwixt 29. & 31 y. wette.	7. quarters at least within the listes.	75. pound scoured & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
8 Coloured clothes made in Couentry and Worcester, or els where of like making, shall containe	betwixt 29. & 31 y. w.	7. quarters at least within listes.	80. p. at l. thicked & dried	5. Ed. 6. 6.
9 Short Worcesters made in the Cities of Couentry and Worcester, or els where of the same sort, shall containe	betwixt 23. & 25 y. w.	7. quarters at least.	60. pound scoured thicked & dried	5. Ed. 6. 6.
10 All coloured long cloths made in Suff. Norff. & Essex, or els where of like sort, shall containe	betwixt 28. & 30 y. w.	7. quarters at least.	80. p. at l. scoured thicked & dried.	5. E. 6. 6.
11 Every coloured short cloth made in Suff. Norff. and Essex, or els where of like sort, shall containe.	betwixt 23. & 25 y. w.	6. quarters and d. wet.	64 p. at l. scoured thicked & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
12 Every coloured cloth made in Suff. Norff. & Essex or els where of like sorts, called handiwarps, & all whites there made or els where, as Cocksale whites, Glainsford and other handiwarps, shall containe.		7. quarters out of water.	Every y. 2. p. & d. at least scoured thicked & dried.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
13 All				

The Table of Drapery.

	Legnth.	Breadth.	Weight.	Stat.
13 All whites & reds made in Wiltshire, Glou, & Somersetshire, or els where of like making, and all other whites made in any other part of the Realme not before remembred, shall containe	betwixt 26. & 28. y. w.	7. quarters at east.	whit, 61. p. coloured 60. p. scoured, thicked & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
14 All broad Plunkets, Azures, Blewes, and other coloured cloth made in Wiltsh. Glouc, and Somersetshire, or els where of like making shal containe	betwixt 25. & 28. y. wette.	7. quarters at least.	88. p. at l. scoured thicked & dried.	5. Ed. 6. 6.
15 Euery course short cloth made in Suff, Norf. & Essex or els where of like sort, & euery course cloth made in Ket not exceeding the price of vi. li. shall containe	betwixt 23. & 25. y. w.	6. quarters and d. wet. within the lists.	64. p. at l. scoured, thicked & dried	4. & 5. P. & M. 5.
16 All Karseys called ordinaries, shall contayne.	betwixt 16. & 17. y. w.		19. p. at l. S. T. and D.	5. E. 6. 6. 4. & 5. P. & M. 5.
17 All sorting Karfies shall contayne. No person vsing the trade of making of Karfies, shall purposely make any karfies, about the length of 18. yards at most, vpon payne of forf. xls. to the Q. & l. 14. El. 10.	betwixt 17. & 18. y. w.		22. p. at l. S. T. and D.	5. E. 6. 6. 4. & 5. P. & M. 5.
18 Euery Deuonshire Karfie, called Dozen, shall containe	betwixt 12. & 13. y. w.		Euery y. 1. p. at l. S. T. & D.	5. E. 6. 6. 4. & 5. P. & M. 5.
19 Al broad cloths made in Tauntō, Bridgwater, & other places of like sort shal cōtaine	betwixt 12. & 13. y. w.	7. quarters.	34 p. the piece at l. S. T. & D.	5. Ed. 6. 6.
20 Euery narrow cloth made in the said towns or els where of like sorts shall containe	betwixt 24. & 25. y. w.	1. yard.	34 p. at l. S. T. & D.	5. Ed. 6. 6.

The Table of Drapery.

79

	Length.	Breadth.	Weight.	Stat.
21 All clothes named Check Kersies and straites shall con- teine	betwixt 17. & 18. y. wette.	1. y. wet. at least.	24. P. the piece at 1 S. T. & D.	5. E. 6. 6.
22 Euery goade of Welsh lining shal conteine		3. quar- ters. wet.	1. p. & d. quarter.	4. & 5. P. & M. 5.
23 Euery yarde of Cotton being fully wrought and cot- toned, shall conteine			1. p. at 1.	4. & 5. P. & M. 5.
24 All Welsh frizes wrought within the shires of Cardegā, Carmerden, or Penbroke, or els where of like making, redy to be solde for a whole peece & euery halfe peece of Welsh frizes accordingly shall cōtein	36. yards wette at most,	3. quar- ters of a yard.	48. pouñd the piece at 1.	5. E. 6. 6.
25 Euery Northerne cloth shall conteine And euery halfe peece called douzens, shall conteine the same bredth, & halfe the same length and wayght.	betwixt 23. & 25. y.	7. quar- ters of the y. at left wet.	66. p. the piece at 1. S. T. & D.	5. E. 6. 6.
26 All cloth called Peni- stones or forest whites, shall conteine	betwixt 12. & 13. y. wette.	6. quar. & D. out of water.	28. p. the piece at 1. S. T. & D.	5. E. 6. 6.
27 All cottons called Man- chester & Cheshire Cottons, ful wrought to the sale (which may bee deuided vnto two halfe peeces, & shall conteine such breadth and waight, as is limited to a whole peece, 4. & 5. P. & M. 5.) shall conteine	22. goads.	3. quar- ters wet.	30. p. the piece at least,	5. E. 6. 6.
28 All clothes called Man- chester Rugs or Manchester frizes (which may be deuided into two halfe peeces, & shall cōteine such bredth & waight as is limited to a whole peece 4. & 5. P. & M. 5.) shal cōteine	36. yardes.	3. quar- ters wet.	48. p. the peece at 1. wrought & dryed.	5. E. 6. 6.

Drapery.

For. for be-
sault of weight
or measure.

29 ¶ Every person which shall make or cause to be made, any of the severall kindes of broad clothes above rehearsed of any shorter or longer measure then is above specified in the Statute made 5. Ed. 6. and 4. & 5. P. and M. and appoynted for euery countrey, or severall kinde of Clothes to be made, or make any such cloth of lesse breadth, being well scoured, thicked, milled, and fully dyed, then is above specified, and appoynted for euery severall countrey or kindes of clothes, and shall put the same to sale, shall forfeite for euery such default of euery cloth solde or offered to be solde in length or breadth x. s. And euery person which shall make or cause to be made any of the severall kindes of kerseys, narrowe clothes, straytes, douzens, frizes or cottons above mencioned, which shall not be made in such maner and forme, as is abouesayde, nor containe in length and breadth severally appoynted as is aboue specified, shall forfeite for euery peese of such cloth so made and sold, or offered to be sold x. s. And if any such cloth or kersey shall lacke of such wayght, as by the sayd statute it is appointed to haue: Then the maker thereof, or other person in whole possession the same shalbe found, shall forfeite for euery pound lacking aboue iiii. pound, v. s. And also for euery pound not exceeding iii. li. s. to the D. & J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. E. 6. 6. 4. & 5. P. & M. 5.

Cloth exceeds
ding the appoynted length

30 ¶ If any broad cloth shall exceede the severall length before appoynted, by meanes of the finesse, or the good and stuffie making of the same, then the maker thereof shall not incurre any penaltie for the ouerlength of any such fine cloth. 5. Ed. 6. 6. And if any cloth or kersey of the severall kindes of makings mencioned in the foresayde statutes of 5. Ed. 6. and 4. and 5. P. & M. do exceede the severall lengths mencioned in the same: then euery yarde so exceeding, shall weygh after such rate, as euery yarde of such cloth or kerseys conceyning the sayde severall lengths, shall or ought to weygh, vpon payne of forfeiture for euery yarde not weyghing after such rate, v. s. 5. Ed. 6. 6. 4. & 5. P. & M. 5.

The Draper
shall trie the
cloth and pres-
sent the faultie

31 ¶ No Draper, Marchant Taploz, cloth worker, or other person which shall retayle any such clothes or kerseys, frizes, rugges or cottons of the severall makings specified in the act made 5. Ed. 6. shall put to sale any of the sayd clothes, whereunto the Alneger shall haue set the Queenes seale, and the owner his seale, till hee haue made trial as well by the water as by the weight and measure, whether they shal be made according to the purport and true meaning of the sayde act or no. And if any person shall finde any defectiue or faultie cloth, in length, weight or measure, made contrary to the orders aforesaid, then

hee

he shall present every such cloth, to every Mayor, Bailife, or other head officer or head officers of every Citie, Borough, or towne corporat, or to the two Justices of Peace next adjoining out of a citie, borough or towne corporat where such cloth shalbe founde faultie, to the intent the same cloth may be cut into three equall peeces, the one peece thereof to be forfeite to the Queene, an other to the presentor thereof, and the thirde part residue to such person or persons as it shall then be presented to, vpon paine that every such person as shall so search every of the clothes, kerseys, cottons or frizes aforesayde, so by him bought and solde, and shall not seise and present such cloth as he shall finde defective, shall forfeite the double value of every such cloth. 5. Ed. 6. 6. 25. Ed. 3. 1. S. 53.

32 **E**very Clothier or other person whatsoever, which so shall sell any such faultie kersey, cotton or frize, whereunto the Aulneger and the owner shall have set to their seales, and shall so be seised as is aforesayd, shall within xiiii. dayes next after request made by writing, message, or otherwise by such person which shall so buy such cloth, make payment of such summes of money as he receiued for the same, or shal otherwise satisfie, discharge and acquit him for so much money, as he shall or should have receiued for the same, vpon paine of forfeiture to the Kinge, greued for every non payment, or not acquittal, the double value of the money so receiued, to be recovered by A. B. P. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. S. 53.

33 **A**s well the Mayor of London and Aldermen, or the more part of them, as every other Mayor, Bailife, and head officer of every citie, borough, or towne corporat within this Realme, shall from time to time appoint two, or moe honest discrete and expert persons, which shall from time to time vpon their othes viewe and searche all clothes that shalbe dyessed, died or pressed with the colde presse, within every such citie, borough, towne corporat, or port towne, and view and search whether the same clothes be wel and sufficiently dyessed & pressed with the cold presse, without putting thereto flockes solace, chalke, flower, or any other deceitfull thing, and also whether the same shall bee well died with good and perfect colours without any deceitfull thing, or whether it shall be streined any more then in this statute is specified, & shall haue power to enter into every persons house where they shall thinke meete, to search & seise every such cloth as they shal finde defective in the premises, in whose hands soeuer they shalbe founde, as for. to the Kinge & to the Mayor and communitie of the citie, borough, towne corporat, port towne or market towne where the same shall be seised. And every person in whose possession such defective or faultie cloth either

the payment of
money receiued
for faultie cloth

Searchers of
cloth.

Deceitfull
things put in
cloth.

Draperie.

eyther by euill dying, dyelling or p[re]ssing, shalbe found and seised, shall haue his remedie (by A. J. &c. wherein no W. &c. E. J. &c.) agaynst euery such person by whose defaultes or negligence such cloth shall so be found faultie, and shall thereby recouer all such costes, losses and dammages as he shall sustayne by occasion thereof. And euery Maior, head Officer, &c. of any Citie, Borough, or towne corporat, in which any clothes shalbe made, dyed, dressed, or p[re]ssed with the colde p[re]sse, which doe not appoynt so many searchers as shalbe requisite to search and v[ie]we clothes vpon their othes, shall forfait for euery default x. li. to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. J. &c. 5. Ed. 6. 6.

A seale of lead
in euery cor-
porate towne.

34 ¶ Aswell the Maior of London, as euery other Maior, Bay-
life, portuue, or other head officer of euery Citie, Borough, Towne
corporat, or port Towne, shall cause to be prepared a Seale of Leade,
wherein aswell the armes, as the name of euery such Citie, Borough,
towne, &c. shall be grauen, which the same searchers shall cause to bee
fixed to euery cloth that they shall finde well and sufficiently dressed,
dyed and p[re]ssed, with the cold p[re]sse without any of the deceits afore-
sayd, and shall haue for their paynes by the owner thereof for the sea-
ling of euery cloth ii. d. 5. Ed. 6. 6.

The sealers for
sealing of fault-
ie cloth.

35 ¶ If any searchers doe finde any of the clothes being colour-
red or dyed, either cockly, purle, haudy, squaly, or rowie, or euill bur-
led, or wadded in the mill, or full of holes, or brackes, then they shall,
besides the Seale of the Citie, Borough or Towne corporat where
the same cloth shalbe founde, put another seale of Lead, at euery ende
of the sayde cloth, wherein shall be grauen the letter (F) and shall al-
so sette a marke in the lyst, right agaynst such place where any of the
faultes aforesayde shall be, with the print of a letter or marke of an
ynche compasse at the least, whereby euery buyer may well knowe
what and where the fault is. And if any of the foresayde searchers doe
set the seale of any Citie, Borough, &c. to any cloth which shall haue
any of the aforesayd faultes, and do not set at euery ende of the cloths
one Seale with the letter (F) Then the comminalltie of euery such
Citie, Borough &c. where such searcher shall be appoynted, shall for-
saite for euery such omission five pound to h[er] Queene and Informer, to
be recouered by A. J. &c. wherein no W. &c. E. J. &c. 5. Ed. 6. 6. 4. and
5. H. and H. 5.

Cloth sealed in
one borough,
shall not be
searched in an
other.

36 ¶ The Seale of euery borough or towne corporat, appointed
for the sealing of any kinde of cloth, shalbe fixed to euery such kinde of
cloth being well made within such Citie, borough or towne corporat,
which cloth so sealed with the Seale of any Citie, borough, or towne
corporat,

corporate, shall not be searched, tried or viewed by any searcher or sealer of any other citie, borough or towne corporate, by vertue of his said office. 4. and 5. P. and M. 5.

37 ¶ If any of the sayd Searchers so appoynted by the Maior, Bailife or other head officer of any Citie, Borough, or Towne corporate, hauing no reasonable excuse, do refuse to be a searcher and do not vse the office of a Searcher, he shall forfait for euery such refusall and not executing of his office v.li. to the Queene, and the vse of the comminaltie of euery Citie, Borough &c. where he shall be assigned, and also shall remaine in warde, till he hath payed the sayd forfeiture, or otherwise put in sufficient bonde for the satisfaction of the same. 5. Ed. 6. 6.

Refusing to be a searcher.

38 ¶ The searchers or sealers and euery one of them, haue authoritie in the day time, to enter into euery house of euery person, where he or they shal thinke meete, to search, and to trie euery kind of clothes, kerseys, frizes, and rugges, as they shall find defectiue, either in length, bredth or waight, and the same to trie by water and waight, and also to search and seise as forfait euery cloth made of other colours then in this act is appoynted. 4. & 5. P. and M. 5.

The searchers or sealers may enter into euery mans house

39 ¶ If any person shall deny, withstand, or withhold any clothes, kerseys, frizes or rugges, from the sayd sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses or places where their clothes &c. shalbe, the same to be searched and tried as is aforesaid, Then he so denying or withstanding, for euery such withstanding, withholding or denyall, shall forfait x.li. to the Q. and J. to be recovered by A. J. wherein no C. &c. E. P. &c. 4. and 5. P. and M. 5.

Denying of search.

40 ¶ It shall not be lawfull for any of the said searchers or sealers, or any other person, to search any wollen cloth or kersey, whereunto the seale of a citie, borough, or towne corporate shalbe fixed within the cloth market of London, called Blackwell hall, or in any comon cloth faire, or cloth market, of any other citie, borough, or towne corporate, in and during the time of the faire or market. 4. & 5. P. & M. 5.

No cloth which is sealed shalbe searched in a market.

41 ¶ If any person shall by himselfe, or by any other person by him procured, counterfeit, set so, or take away from any cloth, Kersey, frize, rugge, or cotten, any seale appointed to be fixed to the same, by eyther of the statutes made 5. Ed. 6. & 4. & 5. P. and M. Then he shall forfait for the first offence, being thereof ouerly convicted by verdict of xii. men, or by two sufficient witnesses, or by confession of the partie) x.li. And for the second offence being likewise convicted, shall sit on the pillorie, and forsaue to the Queene all such his goods and

Counterfaiing or taking away a seale.

Draperie.

cattels (his debts being truly payed) as he shall haue at the time of his conuiction. 5. Ed. 6. 4. & 5. R. 2. 5.

No cloth retailed but which is sealed.

42 ¶ No person which commonly vseth to retayle cloth or kersey, shall put to sale, ingrosse, or by retayle to any person, any maner of cloth being dyessed, dyed, and pressed, except there be fixed thereunto at euery ende of the same Cloth the seale of such Citie, Borough or towne corporate where the same cloth shalbe so dyed, dyessed and pressed, or the seuerall seale of euery such Citie, Borough or Towne corporate, where it shalbe dyed, dyessed or pressed, to remaine at the last end of euery of the sayd Cloth, which shalbe sold during all the time that any peece of such Cloth is to be sold, vpon paine of for. the whole value of such cloth to the D. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

Straites made in Devon and Cornewall.

43 ¶ The owners of all white plaine straites, and white pinned straites made within the counties of Devon and Cornewall, shall bring the same clothes to the next Citie, Borough or towne corporate, where the same shalbe fully dyessed and made, there to be measured, waighed and sealed with a seale of lead fixed to euery of the said peeces of cloth, in which Seale the Armes or names of euery such Citie &c. shalbe grauen, And the Mayor of euery citie &c. where the same clothes shalbe brought, shal appoint and sweare two officers for the true waighing, measuring, and sealing thereof, And the same officers shall haue for their waighing, measuring & sealing, of euery peece of the said clothes ob. and no more, And euery clothier which shal put any of the clothes aforesaid to sale, or offer the same to be sold befoze the same be waighed, measured and sealed as is aforesaid, shall forsayte for euery such default the Cloth sold or offered to be solde, to the D. and J. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 7. Ed. 6. 9. And euery person dwelling within the Countie of Somerset, which shal put to sale any wollen clothes, commonly called Bridgewater, Tanton, and Chard clothes, or clothes of like making, nature, and sort, made within the said Countie, except such cloth be first viewed, searched, and seene in one of the Boroughes of Bridgewater, Tanton or Charde, and sealed with the Seales of one of the sayd Boroughes or Townes, according to the foresaid statute. 5. Ed. 6. shal for. the cloth sold, or the value thereof, to the D. & J. &c. to be recouered by A. J. &c. where in no W. &c. E. P. &c. 2. & 3. R. 2. 12.

Bridgewater, Tanted, Chard clothes.

Clothes brought to a town corporate to be sealed.

44 ¶ Euery person not dwelling within any Citie, Borough or Towne corporate, and making any of the clothes or kerseys aforesaid, may lawfully bring the same to the next Citie, Borough or corporate Towne where any such kinde of clothes or kerseys be comonly made, there

there to be sealed in maner and forme aforesaid. 4. & 5. R. and P. 5.

45 ¶ If any searcher or sealer appointed by the foresayd statutes of 5. Ed. 6. & 4. & 5. R. & P. shall set the seale of the Citie, Borough, or towne corporate, to any cloth which shall not containe such length, waight and bredth, as in the sayd statutes is appoynted, then the corporation of the towneship, where such cloth, kersey, frize, cotton or rugge shalbe so sealed, shal forfe. the whole value of the cloth so sealed. 4. and 5. R. and P. 5.

Sealing of cloth which lacketh length, waight, bredth.

46 ¶ If any of the searchers aforesayde, shall set the Seale of any Citie, Borough, Towne corporate, or port Towne to any coloured cloth which shall not be sufficiently dyed, dyed, pressed and wrought, as is aforesayd, Then the corporation of the Towneship, where such cloth shall so be sealed, shal forfeit the whole value of the cloth so sealed, 5. Ed. 6. 6.

Sealing of cloth not sufficiently dyed, dyed, wrought.

47 ¶ In euery Towne, Village or hamlet, being not corporate, where any cloth shalbe made or sold, the Iustices of peace, of the same shire where any such towne, village, or hamlet is, or two of them at the least, shall haue full power once euery yeere to call before them, by their precept or otherwise. 2. 4. 6. 8. or more as they shall thinke good, of the most honest, discreete and indifferent men of euery such Towne &c. and them shall appoynt to be ouerseers for one whole yeere then next following within the towne, village or hamlet, where the same ouerseers shalbe dwelling, charging them vpon their othes &c. that they do endeouour themselves for that yeere, as much as in them shall lie, to see that the stat. of 3. Ed. 6. provided for the true meaning of wolen clothes, be truly obserued within the limits of their charge, in euery part thereof, 3. Ed. 6. 2.

Ouerseers appointed by the Iustices.

48 ¶ The same ouerseers, or two of them, shall euery quarter of the said yere at the least, or so often as need shal require by their discretions, visite and go into euery clothiers, drapers, clothworkers, dyers, and pressors houses, shops, and other places, where cloth, or died wool shalbe, and there make due search, and vie in the clothes and wools made or died, or remaining to be sold, and to search and trie, whether the sayd clothes be dyed, or strained, or falsly died. 3. Ed. 6. 2.

The authorities of ouerseers.

49 ¶ If any of the said persons so comanded to appeare, to be made ouerseers, hauing no reasonable excuse, do refuse to come and to take vpon him to be an ouerseer, Then euery such person shall forfeite for euery such refusing xli. s. to the Queene and to the Iustices of peace by whom he was comanded to appeare, or to be an ouerseer, and shal remaine in the ward of the shirif until he hath paid the same forfe. or otherwise put in sufficient band for the satisfaction of the same. 3. Ed. 6. 2.

The forfeiture of them which refuse to be ouerseers.

The pynish-
ment of the o-
uerseers which
do not make
search.

50 ¶ And if the same ouerseers, or two of them at the least, do not once every quarter of the yeere make due search for the true executi-
ing of this statute, then euery of the sayd ouerseers shall forsaite for euery
such default x. li. to the Q. and J. &c. to be recouered by A. J. &c. where-
in no W. &c. E. P. &c. 3. Ed. 6. 2.

The forsaite of
them which in-
terrupt the o-
uerseers.

51 ¶ And if the same ouerseers shalbe interrupted, and not suffe-
red to enter into the sayd houses, shoppes, or other places, where any
such clothes, or woollens shalbe made or died, or any other of the said de-
faultes shall be committed, there to make search for the better execu-
ting of this statute, Then euery one that so shall make any such inter-
ruption, shall forsaite xx. li. to the Queene and to the sayd ouerseers, to
whom any such interruption shalbe made, to be recouered by A. J. &c.
wherein no W. &c. E. P. &c. 3. Ed. 6. 2.

Within what
time that suite
shalbe com-
menced.

52 ¶ Provided that no person shall take any aduantage of any the
sayd forsaitures, by reason of this statute of 3. Ed. 6. vnlesse he do com-
mence his suite within one yeere next after the said offences and forsa-
itures committed. 3. Ed. 6. 2.

The clothiers
marke.

53 ¶ Euery clothier shall weaue, or cause to be wouen his seue-
rall token or marke, in euery cloth, kersey and other clothes whatso-
euer they be, made to be vttered and solde, and when any cloth shall be
readie made and dressed to be put to seale, euery of the same clothiers
shall set his seale of lead vnto euery of them, in which seale shalbe con-
tayned the iust length of euery of the same clothes or kersyes; as it
shalbe found by euery buyer of the same, vpon due prooofe thereof to
be tryed by the water. And in case vpon any such prooofe to bee made
by any buyer of them at the water, there shalbe found lesse content in
length then is contained in euery of their sayd seales; Then euery of
the said Clothiers shall forsaite vnto euery such buyer of the same the
double value, of so much cloth as shall want of his sayde content in
length, at the onely sight and iudgement of any two indifferent per-
sons that shall measure the same, And euery Clothier putting his
cloth to sale, before it shall be sealed by the Aulneger, and marked in
forme aforesaid, shall forsaite his clothed the Q. and J. &c. to be recou-
red by Action, Information, &c. wherein no Wager &c. assigne, pro-
tection &c. 27. H. 8. 12. S. 31. & 32. & Quere whether the Clothier shal
forsaite the double value, or the cloth, or both.

Aulnegers
seale.

Quere.

No clothier
shall vse an o-
thers marke.

54 ¶ No person shall vse any marke vpon his clothes such as an
other doth, and hath vled before him, vpon paine of forsaiture of euery
of the sayd clothes, to the Queene and to him that will lease them. 5.
H. 8. 2. 6. H. 8. 8.

Faulty cloth.

55 ¶ If any cloth or kersey through the defaulte or negligence
of the

of the carders, spinners, or weavers, shall moue eyther pursie, rock-
ley, baudy, squally or rowy, by warpe or woofe, or els shall happen to
be euill burlid or wasted in the mill, or els through the default of the
mill man, or otherwise to be full of holes, milbarkes, or to bee holy,
then the maker thereof shall fixe vnto euery ende of the sayde cloth or
kersey, so being defectiue and faultie, and offered to be sold, one seale
of lead, in the which seale shalbe ingraued this woorde (Faultie) vpon
paine of foxt. of such cloth or kersey, or the value thereof, so offered to
be sold, whereunto such seale shall not be set, 4. and 5. *l.* and *l.* 5.

56 ¶ If it shall fortune any marchant to transport any clothes, *Faulty cloth transported*
kerseys, fryses or cottons, wherunto the seale with this woord (Faulty)
was not annexed, at the time of the sale thereof, by the Clothier, and
the same so transported, or any of them to bee found faultie or defecti-
ue, and the same marchant thereof within two yeeres after such sale
to bring a certificat sealed with the seale of any towne, or company in
the parties beyond the seas, or signed by a notarie there, after the ac-
customed maner, declaring thereby the losse which the marchant
shall haue susteyned by such defectiue and faultie cloth so transported,
Then the Clothier or other person of whom the cloth was bought,
their executors or administrators, shall within sixe weekes, next after
request made by the sayde marchant, his executors, administrators or
assignes, truly pay to such marchant, his executors, administrators
or assignes, euery such summe of money as shall so be declared in the
sayd certificat, vpon paine of foxt. to the partie griued for euery non
payment vpon such request, double the value of such summe mentio-
ned in the said certificat, But such marchant shall not haue by vertue
of this act, any recopence for lacke of length, bredth, or waight of any
cloth whereunto the seale of any Cite, Borough or towne corporate
shalbe fixed. 4. & 5. *l.* & *l.* 5.

57 ¶ The wooll which shalbe deliuered, for, or by the clothier to
any person, for breaking, keimbing, carding or spinning of the same,
shalbe by euen, iust, and true pois and waight of haberdypoies sealed
by auctoritie, not exceeding in waight after the rate of twelue pound
seined wooll, aboue one quarter of a pounce for the waste of the
same wooll, and in none other maner. And the breaker or keim-
ber shall deliuer againe to the same Clothier the same wooll so bro-
ken and kempt, and the Carder and Spinner shall deliuer againe
to the sayde Clothier, parne of the same wooll by the same euen
pois and waight (the waste thereof excepted,) without any part there-
of concealing, or any more oyle, water, or other thing put thereunto
deceiuably, vpon paine to forfeit to the lord of the leete, within the pre-

*The waight of
the wooll deli-
uered by the
clothier to the
carders & spin-
ners, & by the
re deliuered.*

Draperie.

cint whereof such default is done, for every such default xii. d. upon due prooofe of such deceit, before and by discretion of the Mayor, bailie, or other head officer of the Citie, Borough or Towne where the deceit shall appeare, calling to him such persons, as shall seeme to him convenient for the prooofe of such deceit. 6. Hen. 8. 9.

Occupiers of
welsh cloth,
shall pay the
Sheremen
ready money.

58 ¶ Every person occuppying the trade of buying and selling of welsh cloth and lynnings, within the Towne of Shrewelbury in the county of Salop, which doth deliuer the same to be cottoned, fryzed, dyessed or wrought, to any Sherman, Cottoner or fryzer, and doth not pay to the same Sherman or &c. ready money for all his sayde worke, without any colour, fraud, or ingin whatsoeuer, and without ware or other thing in satisfaction of his sayd worke, or any part thereof, shall lose all his liberties & freedoms of the fraternitie of Drapers, & for ever after be excluded and disabled by himselfe or any other for him to occupie or inioy the trade of buying and selling of welsh clothes or lynnings. 8. El. 7. 14. El. 12.

No retails of
linning, frizes, or
cottons, shall
worke p same.

59 ¶ No person which shall buy to sell agayne by way of retail or otherwise, any welsh lynnings, shall disse or worke, or cause to be dyessed or wrought, within his dwelling house, or in any other places, any of the sayde welsh lynnings, but shall put the same to some such person as shalbe of the science of Shermen, Cottoners, or Fryzers, to be by them wrought and dyessed, upon paine of for. for everie welsh cotton, or lining frized, or cottoned to the contrary vi. s. viii. d. 4. & 5. H. 8. and 5. and if any person dwelling within the Towne of Shrewelburie in the County of Salop, or the liberties of the same, vsing the trade of buying of frizes, cottons or plaines, doeth exercise the facultie of frizing or cottoning, he shall for. for every peece vi. s. viii. d. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. C. P. &c. 8. El. 7. 14. El. 12.

Haire, flockes,
lambes wooll.

60 ¶ No person shall put any haire, flockes, or any yarne made of lambs wooll into any cloth, kersey, frize, or cotton so made & solde, or offered to be sold, upon paine to for. every such cloth, kersey, frizes and cotton wherein any such yarne, haire, or flockes shalbe put, or the value thereof, to the D. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6. But it shalbe lawfull for any person inhabiting within the Counties of Deuon or Coznewall, to make white plaine straits, and white pinned straits, with haire, flockes, or yarne, made of lambes wooll, or otherwise, without any penalcie of forfayture thereof. 7. Ed. 6. 9.

Straining or
stretching of
cloth.

61 ¶ No person shall straine, or cause to be strayned any cloth, aboue one yard in length, & one halfe oz. in bredth, upon paine to for.

for

By euery such default v. li. And no person which shall haue or occupie any tentour, shall haue or occupie any wyench, rope, or ring with the same tentour, or shall vse any other engin, vnlawfully to straine, or stretch any cloth, vpon paine that euery offendour, that shall vse or occupie any tentour, or other engin to the contrary shall forf. x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

Pressing of cloth.

62 C No person shall presse any kinde of cloth, with the hote presse, or in any other kinde of decepuable maner, but onely with the cold presse, vpon paine of forf. of the whole cloth so pressed, or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

Boyleing of wooll.

63 C No person shall boyle, or cause to be boyled, any wolles to be conuerted into any kinde of broad cloth, or kersey, with any kinde of gaules, rindes, barkes of trees, or sawdust, vpon paine to forf. all such wooll or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

Lists of cloth.

64 C No person shall adde vnto any cloth, any counterfayte lyst like vnto the making of Cocksall, Bocking, or Braintry clothes, commonly called handy warpes, except the warpe thereof be sponne vpon the distaffe, vpon paine of forf. of the same cloth, or the very value thereof, But the clothmakers within the citie of Worcester may make such lists as they haue done heretofore. 4. & 5. P. & M. 5.

Clothes made in the Westriding in Yorkes shire.

65 C No person inhabiting within the Westriding in the countie of Yorke, shall make, or cause to be made any broad clothes, called Pewkes, Catonies, Uoletts, or Greene, except the wooll thereof, (before it be conuerted into yarne) bee first dyed, litted, and coloured, with the colour blew, of the value of ii. d. a pound, vpon paine of forf. of euery such coloured cloth, whereof the wooll shall not be first dyed, &c. or the value thereof, to the Queene and Infourmer, to bee recovered by Accion, Infourmation &c. wherein no Wager, C. Moine, P. J. &c. 4. and 5. P. and M. 6.

Folding of welsh cloth.

66 C Welsh Clothes called whites, Russlets, and Kennettes, made in Northwales, and Dycester hundred, that shall bee brought to any common markets or fayres to bee vntered and solde, shall bee folded eyther in plaits, or cuttell, as the clothes of all other Countries of this Realme are vsed, to the intent the buyers may perceyue the breedh and goodnesse thereof, vpon paine of forf. of euery piece brought to any market or fayre to be sold contrary to the forme aforesayde, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 3.

Draperie.

Colours of
cloth.

67 ¶ No person shall put to sale within the realme of England, any coloured cloth of any other colour, or colours, then scarlet, red, Crimson, Purpury, Violet, Pewke, Browneblew, Blacke, Greene, Pelow, Blewe, Dichtawny, Russet, Parble, Gray, Saw Newe colour, Azurie, Wached, Sheepes colour, Lyon colour, Pocley, Iron gray, Friers gray, Crane colour, Purple, and olde Pewley colour, most commonly vsed to be made aboue and befoze xx. yeeres last past 4. and 5. P. and M. 5.

Dying of
clothes.

68 ¶ No person occuppying the feate of dying, shall dye, or alter into colours, or cause to be dyed, &c. any wollen clothes, as Browneblewes, Pewkes, Catwnies, or violets, except the same be perfectly boyled, Grayned, or maddered vpon the Wood and hot with goon and sufficient cooke or orhall, after a due substanciall and sufficient maner of workmanship, according to the auncient workmanship in time past vsed, vpon paine for euery default to for. xx. s. Nor any person shall dye any wooll to be conuerted into cloth, called russets, musters, marbles, Grapes, rapes and such like colours, or to be conuerted and made into hattes, or cappes, vnles the same wooll be perfectly woaded, boyled and maddered, according to the true and auncient vsage, vpon paine of forfaiture for the false dying of euery such cloth, or of as much wooll as shall serue for the making of euery cloth contrary to the true meaning hereof, fourtie shillings. Nor shall dye with brasell to the intent to make a false colour in cloth, nor wooll hattes nor cappes, vpon paine for euery default to forsayte twentie shillings. 3. Ed. 6. 2.

Dying of wooll.

Iron cardes,
pickardes.

69 ¶ No person shall occupie any yron cardes, or pickardes in rowing of any set cloth, or any maner of wollen cloth, vpon paine to forsaite as well the said yron cardes and pickardes, as also the summe of twentie shillings for euerie such offence. 3. Ed. 6. 2. And if any person occupie any Giggemill for the workmanship of any wollen cloth, he shall forsayte for euerie cloth wrought in or by any of them v. li. 5. Ed. 6. 2. 2.

Gigge milles.

Measure of
cloth.

70 ¶ No person shall sell any cloth by any lesse measure, then after the true content thereof, to bee moten and measured by the yarde, adding to euery yarde one ynch of the rule. 6. Henrici. 8. 9. 3. Ed. 6. 2.

Dying of co-
loured wooll
and yarne.

71 ¶ No person shall buy any coloured wooll, or coloured wollen yarne of any Carder, Spinner, or Weauer, but onely in open market, vpon paine of forfaiture of such wooll and yarne, so bought, to the Queene and H. to bee recovered by H. &c. wherein no W. C. P. &c. 6. H. 8. 9.

72. **N**o person vsing the feate of Clothmaking, and dwelling out of a Citie, Borough, market Towne, or corporate Towne, shall haue in his house or possession, aboue one wollen loome at one tyme, nor shall directly or indirectly, take any commoditie, by letting any loome, or any house wherein any loome shalbe occupied which shall be together by him let, vpon paine of forfaiture for euery weeke that any person shall do contrary xx. s. to the Q. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

A clothier shall haue but one wollen loome.

73. **N**o wollen weauer vsing the feate of weauing, and dwelling out of a Citie, Borough, market Towne, or Towne corporate, shall haue or keepe at one tyme aboue two wollen loomes, or receyue any commoditie by any moie then two loomes at one tyme, vpon paine to forfaiture for euery weeke that any person shall do to the contrary xx. s. to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

No weauer shall keepe above two loomes.

74. **N**o person which shall occupie onely the mystetie of a weauer, and not clothmaking, shall (during the tyme that he shall vse the feate of a weauer) haue any Tucking mill, or shall exercise the feate of a Tucker, Fuller, or Dyer, vpon paine to forfeit for euery weeke that he shall so do, xx. s. to the Q. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & M. 11.

No weauer shall be a Tuckermill, Fuller, or Dyer.

75. **N**o person which shall vse the feate of a Tucker, or Fuller, shall during the tyme that he shall so vse the sayde feate, haue any loome in his house or possession, or shall directly or indirectly take any profite by the same, vpon paine to forfeit for euery weeke, xx. s. to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. and 3. P. and M. 11.

No tucker or fuller shall keepe a loome

76. **I**t shall not be lawfull for any person to set by mystetie of weauing, vntill he the same person haue bene apprentice to the same mystetie, or exercised the same by the space of vii. yerres at the least, vpon paine of twentie pound to be forfeited to the Q. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. and 3. P. & M. 11. And whosoever shall weaue or make, or put to weauing or making wollen cloth, long or short kersleys, plumed whites, or plaine straits, vntill he hath bene apprentice to the occupation of making, weauing, and rowing of cloth or kersley, or haue bene exercised therein by the space of vii. yerres before, shall forfeite such cloth or the value thereof to the Queene and J. &c. 4. and 5. Philip and M. 5. But this act of 2. and 3. P. and M. is not prejudiciall to any persons dwelling in the countie of Dyke, Cumberland, Northumberland, and Westmerland, but euery of them shall and may keepe loomes in their houses,

No man shall be a weauer but which hath bin apprentice.

Loomes kepe in the countie of Dyke, Cumberland, Northumberland, and Westmerland,

and

Draperie.

and exercise every thing concerning spinning, weaving, cloth working, and cloth making in the said Counties, as they might have done lawfully before 2. and 3. H. and P. 11.

The weaver shall put into the cloth at the parne, or res, as it is.

77. **T**he weaver which shall have the weaving of any wollen yarne to bee webbed into cloth, shall weave, worke, or put into the webbe for cloth, to be made thereof, as much and all the same yarne, as the Clothier or any person for him shall deliver to the same weaver, with his used marke put to the same, without changing, or any part thereof leaving out of the same webbe, or els shall restore to the same Clothier the surplusage of the same yarne, if any shalbe left not put into the same webbe, and without any more Dyle, Broome, moisture, sande, dust, or other deceyvable thing putting to the same webbe, upon paine to forsaye for every defaulte iii. s. iii. d. to the Clothier and Informer, to be recovered by A. J. & c. wherein no W. C. P. & c. 6. H. 8. 9.

None shall occupy clothing but where it hath bene used &c.

78. **N**o person shall use the mysterie of making, weaving, or rowing of wollen clothes long or short, or kerses, pinned whites, or plaine straites, to the intent to put the same to sale, but onely in a market towne, where cloth hath commonly bene used to be made by the space of x. yeeres last past, viz. before 20. Januarii, An. Do. 1557. or in a citie, borough or towne corporate, upon paine of forsaye for every such wollen cloth, or kersie made, woven, or rowed out of such citie, borough, or towne corporate, or market towne, viz. to the Clothier to be recovered by A. J. & c. wherein no W. C. P. & c. 4. and 5. H. and P. 5.

Inhabitants at the time of the statute.

79. **B**ut it shalbe lawfull to any person now (viz. at the making of this act) using the feate of making, weaving, or rowing of cloth or kersie, to inhabite where he now doeth, and there to use the making, weaving, or rowing of cloth or kersie, as hee hath done heretofore. 4. and 5. H. and P. 5.

Places excepted.

80. **A**nd it shall be lawfull to every person, which doe, or shall dwell in any of the shires of North Wales, South Wales, Cheshire, or Lancashire, Westmerland, Cumberlande, Northumberland, Bishopricke of Durham, Cornewall, Suffolke, Kent, the towne of Goddelmine in the countie of Surrey (or Dorsetshire, being not within twelve miles of the citie of Dorset) or in any the townes or villages nere adioyning to the water of Stroude in the Countie of Gloucester, where cloth hath bene usually made by the space of xx. yeeres last past, and having bene apprentice to the occupation of cloth making, or exercised in the same by the space of vii. yeeres, to set up, and exercise the feate of making, weaving, or rowing of cloth, out

out of a Citie, Borough, or market towne, as heretofore they might haue done 4. and 5. P. and M. 5.

81. ¶ No person shall make, or cause to be made within the shire of Worcester, any wollen clothes to be solde, except onely such persons as shalbe dwelling within the citie of Worcester, the boroughs and townes of Evesham, Droitwich, Kederminster, and Bromelgroue within the said county of Worcester, or in any one of them, upon paine of forfeiture for every broade Cloth made by any person, contrary to the meaning of this act, fourtie shillings to the Queene and Inshourmer, to bee recovered by Accion, Inshourmation &c. wherein no M. C. P. &c. But this act shall not bee prejudiciall to any persons for making any clothes for their owne, their children or seruants wearing. 25. H. 8. 18.

Worcester
shire.

82. ¶ It shalbe lawfull to every such person which dwell in Bocking, Westbarfold, Cockshal, and Debham in the Countie of Essex, or in any of them, that shall exercise the seate of making, weauing, or rowing of cloth or kersley, by the space of seuen peeres at the least, or haue bene prentice thereto by the sayde space, to dwell in any of the sayd townes or villages, and to vse the making, weauing, or rowing of cloth or kersley, as before this time they might haue done, if the said acte of 4. and 5. P. & M. had neuer bene made any lawe, &c. notwithstanding. 1. El. 14.

Townes ex-
cepted.

83. ¶ An. 18. El. 15. the foresayd branch of the sayd statute made 4. & 5. P. & M. as touching onely the vse of the mysterie of making, weauing, or rowing of wollen clothes, to the intent to put the same to sale but onely in a market towne, Citie &c. and all penalties &c. by reason of the sayde branch, as agaynst any persons exercising the sayde mysterie, &c. within the Countyes of Somerset, Willeshyre, and Gloucester, or any of them, be repealed and made voyde. But euerie person being by this Statute allowed to exercise the sayde mysterie &c. not being by the former stat. (made 4. & 5. P. & M. 5.) allowed thereunto, shalbe subiect vnto such scarch, forf. & other orders, as other persons dwelling out of boroughs and townes corporate, allowed of by the sayde former act, or any other statutes, were subiect vnto before the making of this act. 18. El. 15.

Somerset,
Wiltshire,
Gloucester.

84. ¶ No person dwelling or abiding within any of the sayde Counties of Somerset, Willeshyre, or Gloucester, shall vse the sayd mysterie of making, weauing, or rowing of any wollen cloth out of any Citie, Borough, towne corporate, or market towne, except onely within such houses and places in the said Counties, as such wollen clothes haue bene most commonly vled to be made, wouen or rowen,

Inhabitants
at the time of
the statute.

by

Draperie.

by the space of tenne yeeres next before the making of this Act (being 8. Februarii, Anno Domini, 1575.) upon paine of forfeiture for every such cloth made, woven, &c. v. li. to the Queene and J. 18. El. 15.

How much
land a clothier
may keepe in
his occupatio.

This worde
(now) is to be
construed at
the time of the
stat. made.

85 ¶ Such person as shall vse the trade of cloth making in any of the houses and places where wollen clothes have bene most commonly vbled to be made, woven or rowed by the space of x. yeeres next before the making of this Act (being 8. Februarii, An. Do. 1575) within any of the counties of Somerset, Wiltshire and Gloucester, out of a citie, borough, towne corporate or market towne, which nowe doth not vse the sayde trade, shall not keepe in his occupation or manurance above xx. acres of lande, medowe, and pasture at the most. And every person nowe vbling the sayd trade, out of a Citie, Borough, towne corporate or market towne within any of the sayd Counties, shall not take into his occupation or manurance any lande, medowe, or pasture, but that which hee nowe hath, or as much onely in lieu thereof, upon paine of forfeiture for every acre of lande, medowe, and pasture by such person occupped or manured, contrary to the tenure of this act, for every yeere that he shall so occupie the same, and so vse the trade of cloth making, vi. s. viii. d. to the Queene and Informers 18. El. 15.

The rents of
clothiers houses
in Worcester
ster shire.

86 ¶ The Lords & owners of the meases, tenements, or cotages within the Citie of Worcester, or any of the Boroughs or townes of Evesham, Droitwich, Reddymister and Bromesgrone, shall at no time let any mease, tenement or cotage sufficiently repayed within the sayde Citie, Boroughs, or Townes, to any person that shall inhabit in the sayde Citie, Boroughs, &c. and exercising the mysterie of clothing at any higher rent, imposition or charge, then was given for the same at any tyme within twentie yeeres next before the making of this acte, (being 25. dei Ianuarii, Anno Domini 1533) 23. H. 8. 18.

Aulneger
sworne.

87 ¶ The Queenes Aulneger shalbe sworne to do his office well and lawfully, and in case he thereof be found in default, and attainted before the gouvernours of Faires, Maioys or Bailifes of the places where the cloth shalbe bought, or before any other whom the Queene shall assigne, he shalbe one yere imprisoned, ransomed at the Queens pleasure, & put out of his office for ever, and he that will sue, shall haue the one halfe. And the Aulneger shall answer as well for his Deputies, as for himselfe. 25. Ed. 3. 1.

The Aulneger
shalbe sworn,

88 ¶ The Treasurer of England, or his Deputie, shal appoint no person to be Aulneger, Sealer or keeper of the Seale, appoynted

ted for the sealing of clothes in any part of this Realme, but such as be expert in the making of Cloth, and worth a C.li. at the time of the sayd deputation. 1. R. 3. 8. and worth a C. pound.

89 **T**he Treasourer of Englande for the time being, hath authority to let to farme the Subsidies and Aulnage of clothes which ought to bee sealed unto persons (which bee no strangers bozne. 1. R. 3. 1.) willing to haue the same to ferme, by sufficient suertie, and the farmors shall haue the one halfe of all the forfeitures of all the clothes and pieces of clothes set to sale not sealed with the sayde Seales, to their owne vse, paying therfore, and for the sayde Subsidie and Aulnage to the Queene at her Eschequer such peerey summe of money, as shall be agreed betwixt the Treasorer and them, and to be accompantants to the Queene of the other halfe of the sayde forfeiture at the said Eschequer. 17. Ed. 4. 5. Aulnage let to farme.

90 **I**f any Clothier doe put any Cloth or Kersey to sale, before he shall haue payed to the Aulneger or his deputie, the accustomed fee, or agree for the same as he hath bene accustomed, he shall forfeite for euery default twentie shillings to the Queene and Informer, to be recovered by Accion, &c. wherein no W. C. P. &c. 5. Ed. 6. 6. And if any person making any whole coloured Cloth, Dozens, or Clothes of Ray, doe solde or take the same together, before the Aulneger hath duely searched or surneyed the same, that they hold their length and breadth, ordeyned in the Statutes therfore provided, he shall forfeite the same. And the Aulneger which putteth the seale thereunto ordeyned, to Cloth which is not of Assise, shall forfeite at the first default tenne pound, at the second twentie pound, and at thirde his bodie shall be arrested, and his goods at the Queenes pleasure. 11. H. 4. 6. But the Marchants which do buy the same cloth to carrie out of the Realme, may solde them together, for the more easie cariage of them. 13. R. 2. 11. No cloth shall be solde before the Aulneger's fee be payde.

91 **N**o Aulneger, Sealer, or keeper of the Seale appoynted for the Sealing of cloth, shall seale any whole clothes, halfe clothes, fraytes, or kersyes, but such as shall be onely made within the Countie, Citie, Borough or Towne where hee shall be deputed Aulneger, sealer or keeper, vpon paine to forfeite to the Queene for euery such whole cloth contrarie sealed, threepounde sixe shillings eyght pence, for euery halfe cloth, thirtie thre shillings foure pence, for euery Braite, twentie shillings; and for euery Kersey ten shillings. 1. R. 3. 8. S. 7. Ed. 6. 9. 4. 5. H. 6. 5. Cloth made within the said Countie onely shall be sealed.

92 **E**uery clothier putting any clothes to sale, before they shall be sealed by the Aulneger of the sayde Countie, where any of them No cloth solde before the Aulneger & owner be

Draperie.

have set their
seale & marke.

be made, or before the sayd Clothyer hath wouen his seuerall marke in the said clothes, and hath set his seale of leade containing the length of the same clothes, shall forsaite his clothes to the Queene and Informer, to be recouered by A. J. &c. wherein no M. E. P. &c. And if the Aulneger of any Countye doe seale any of the sayde clothes with the Queenes seale, vntill such time as they be ordered and sealed with their contents in forme aforesayd, he shall lose his office 27. P. 8. 12. But all Cloth made to be solde within the Citie of Worcester, the Townes of Droitwich, Evesham, Redermister, and Bromesgrau, in the Countie of Worcester, shalbe sealed with the seale of the searchers there, and the owners shal not be compelled to put their owne seales to any clothes there made, And the searchers shall haue for the searching and sealing of euery cloth i. d. and not aboue. 25. P. 8. 18. 27. P. 8. 12.

the sealing of
tacked cloth.

93 ¶ If any Aulneger, or Collectoꝝ of the subsidie of Clothes, do set his seale to any cloth, hauing the pieces tacked & set together with threedes, the same cloth shalbe forsaited to the Queene, in whose hands soeuer it be found, And also the Aulneger or Collectoꝝ found guiltie, shal forsaite his office. 3. R. 2. 2.

Faultie cloth
sealed.

94 ¶ Though cloth, through the default of the carders, spinners, or weauers, doe proue either pursie, baudie, or squalie, by warpe or woofe, or else happen to be euil burled, or wasted in the mil, or through the negligence of the Hilman, or otherwise to be full of holes, milbrackes, or hooly, yet the Aulneger shal set his Seale to such cloth, and the accustomed fees shalbe payd to the Aulneger, vpon payne of forsaiteure of such whole cloth, or the value thereof. 5. Ed. 6. 6. 4. and 5. P. and P. 5.

The Aulneger
gers fee.

95 ¶ The Aulneger shall take for euery cloth that is measured, which is of assise, of the seller, ob, and of the halfe cloth q3. for his office and no more, And he shal take nothing for clothes which be lesse then a halfe cloth, nor shal meddle with the measuring of any cloth, but onely with the clothes which are to be sold, And such clothes, the which shal be put to sale, before they be sealed with the sayd seale, shalbe forf. to the Queene &c. and seised into their hands by the Aulneger or his deputie, or otherwise by the Bailife of the towne where such clothes not sealed, shalbe found. 27. Ed. 3. 4.

The Aulneger
shall shew his
commission

96 ¶ If the Aulneger or keeper of the seale, do refuse to shew his commission of his office, to any person desiring the same, vpon the sealing or measuring of any broad clothes, straits, or kersleys, and that examined and duely proued, he shal forf. xx. s. 4. Ed. 4. 1.

97 ¶ The Aulneger in Wales by himselfe, or his sufficient deputie

puttie or deputies, shal in all things to his office appertayning do and answere in euery case, according as euery other Aulneger, in the Realme of England ought to do. And for the contrary exercising of the saide office, shal in euery case suffer, as by the lawes and statutes is ordayned for Aulnegers vnder the Lord Treasorer of England 34. Hen. 8.

Aulneger in Wales.

98 ¶ No person shal sel or put to sale, within the Countie of Lancaster, or carrie or cause to be carried out of the said County any kinde of Clothes, Cottons, Frizes or Rugges, made within the said County to be sold, before the owner or maker of euery such cloth, &c. shal put to the same one seale of lead, hauing the marke of euery such owner or Clothier, ingraued on the one side thereof, and the true length of euery such Cloth, Frize, Cotton or Rugge, as it is found being wette, to be ingraued on the other side of the said seale. And also the Queenes Aulneger of the said Countie Palentine for the tyme being, vpon tryall of the weight of euery such Cotton, Frize, and Rugge, shal fixe or cause to be fixed to euery such Cotton &c. the Queenes seale of Lead, hauing the Portculleis crowned, ingraued on the one side thereof, and the true waight of euery such Cotton, Frize or Rugge to be ingraued, on the other side of the sayd Seale, vpon paine of forfaiture of all and euery such Clothes, Cottons, Frizes, and Rugges conueyed, carried, sent, sold, and put to sale, or to the intent to be solde, being vnsealed contrary to the meaning of this Act, to the Queene and to such persons, as shal seale, or will sue for the same Cloth, &c. to be recovered by Accion, Information, &c. wherein no Wager, E. P. &c. But this act shal not be prejudiciall vnto any Charter, or libertie of any Borough, or corporate Towne within the sayde Countie Palentine of Lancaster concerning the making and putting to sale of any wollen cloth. 8. El. 12.

The owners marke set to clothes in Lancashire.

The Aulnegers seale.

99 ¶ The sayde Aulneger shal haue his lawfull deputie within euerie of the seuerall Townes of Manchester, Rochdale, Bolton, Blackbozne and Berie, in the same Countie where the sayde Aulneger hath bene accustomed to haue his deputie heretofore, there to be readie vpon lawfull request vnto him made without delay, to waigh euery of the sayde Cottons, Frizes, and Rugges, as shalbe brought vnto him, and sealed with the seale of the owner or maker thereof, and to set to euery of them the Queenes Seale ingraued in maner and fourme aforesayde, vpon paine of forfaiture of twentie shillings for euery packe of Cottons, Frizes or Rugges, sealed by the sayde Aulneger or any of his sayde deputies, before the same be waighed in fourme aforesayde, to the Queene and Informer, to be recovered by

The Aulnegers deputies.

A. J. &c.

Draperie.

The Auditors
gers fees in
Lancashire.

A. J. &c. wherein no Wager, E. P. &c. And it shall be lawfull for the sayde Audneger or his deputie, to take of the owner or maker of euery of the sayde Clothes, Cottens, Frizes or Rugges, for the waying and sealing of euery packe of them, thre pence, and for euery piece of such course Clothes, Cottens, Frizes and Rugges, not amounting to a whole packe, ob. and the same to be payed by the owner or bringer of the sayde Clothes at the waighing and sealing of the same. 8. El. 12.

Transporting
of cloth.

100 ¶ No person, English, Denizen, or Stranger, shall transport or cause to be transported into any of the parties beyond the sea, any Cloth, Kersey, Frize, or Cotten of the seuerall sortes before recited in the statute of (5. Ed. 6.) vnlesse the Queenes seale, or Audnegers seale of this Realme, and the seale of the owner or maker of the Cloth (declaring therein the length of the Cloth as it shall be in the water) be set vpon euery such cloth, vpon paine to forfeite euery such cloth lacking the same seales or any of them, or the value thereof, to the Q. and J. to be recouered by A. J. &c. wherein no W. E. P. 5. Ed. 6. 6.

Of what value
cloth carped
ouer may be.

101 ¶ Euery white wollen cloth solde for foure pounds and vnder, and euery coloured cloth so sold for thre pound and vnder, may be carped beyond the sea there to be sold, at the pleasure of the buyers of the sayd cloth vnbarbed, vnshorne, and vnrowed, any act &c. notwithstanding. 27. Hen. 8. 13. But no person shall carpe or shippe, or cause to be shipped any white woollen cloth, aboue the value of foure pounds, or any coloured cloth aboue the value of thre pound vnrowed, vnbarbed, or vnshorne, to the intent to be conueyed into the parties beyond the sea, vpon paine of forf. of the same cloth or the value thereof, to the Q. and J. to be recouered by action, information, &c. wherein no W. E. P. &c. 33. H. 8. 19.

Transporting
of wollen yarne,
or cloth not
fulled.

102 ¶ No person shall carrie or cause to be carried beyond the sea, any wollen yarne, or cloth not fulled, but the wollen yarne which shall be wouen in this Realme, and also all cloth therein made shalbe fulled, and fully wrought within this Realme, before it be carped out of this Realme, vpon paine of forfeiture of the very value of all such yarne vnwouen, and cloth not fulled, carried out of this realme to the Q. and J. &c. 7. Ed. 4. 3. S. 101.

Transporting
of cloth not
watered.

103 ¶ No person, stranger, nor other, shall conuey any wollen cloth ouer the sea, vnlesse the same cloth be before fully watered, vpon paine of 1. s. 1. R. 3. 8. S. 101.

No clothes
brought be

104 ¶ No person shall bring or cause to be brought into the Realme of England, Ireland or Wales, any clothes made in any other

other place then within the sayde realmes (clothes taken by any of the Queenes liege people vpon the Sea without fraude onely except) vpon paine of forfaiture of the sayde clothes, and further to be punished at the Queenes pleasure. 11. Edw. 3. 3. 4. Ed. 4. 1. Noz any man vnder the estate of a Duke, Marques, Earle and their children, and vnder the degree of a Baron, (except he be a Knight of the Garter) shall weare in any part of his apparell, any wollen cloth, made out of the Queenes dominions, except in Bonets onely, vpon paine of forfe. of the same, and iii. s. iiii. d. for euery day that he shall weare the same. 24. H. 8. 13. S. Apparell. 3.

poude the sea, thalbe brought into England.

who may weare clothes wrought bes poude the sea.

105 ¶ For euery ix. clothes unwrought to bee shipped or carried into any the partes beyonde the Seas, contrary to the forme of any statute in force, by force of any licence, the partie that shall shippe or carry the same, shall shippe and carry ouer also one like woollen cloth of like sort, length, bredth, and goodnesse, ready wrought, and dyessed, by rowed, barbed, first coursed, and shorne, from the one ende to the other, so that euery tenth cloth passing ouer the Seas in forme aforesayd, shall be dyessed within this Realme, before the same shall be shipped or transported ouer, vpon paine to forfe. for euery such ix. clothes so to be shipped or transported, contrary to the meaning of this acte, tennne pounde to the Queene, and the master and wardens of the company of cloth workers, to the reliefe of the pooze of the sayde company, to be recovered by A. N. &c. wherein no W. C. P. &c. But euery such tenth cloth so to bee transported ready wrought, shall not bee accompted any of the clothes permitted to be transported by force of such licence, but that such person as shall haue such licence may transport according to such licence, the full number of clothes unwrought, mencioned in the same licence, ouer and aboue the number of such tenth clothes, which they shall be compelled to shippe, and carrie ouer by force of this statute. 8. El. 6.

Clothes transported by licence.

106 ¶ No person shall shippe or carrie beyonde the Seas, contrary to the forme of any statute heretofore made, nowe remaining in force, any cloth commonly called Kentish cloth, or Suffolke cloth, made in the Counties of Kent or Suffolke unwrought and undyessed within this Realme, that is to say, not rowed, barbed, first coursed and shorne, vpon paine to forfe. for euery such cloth so to be shipped or transported xl. s. to the Queene, and the master and wardens of the company of Clothworkers, to the reliefe of the pooze of the sayde company, to be recovered by Accion In. &c. wherein no W. C. P. And no licence for transporting of any cloth, shall be expounded to extend to any such Kentish or Suffolke cloth, made in eyther of the

Kentish and Suffolke cloth shall not be transported unwrought, by any licence.

Draperie. Dying. Dyers.

Said Counties to bee transported, 8. Eliz. 6.

The foresaid statute of. 5. Ed. 6. repealeth al and euery Article, clause, or sentence in any acte of parliament, therefore made, concerning making, dying, dressing, pressing, searching, or sealing any of the kindes of Clothes, broad or narrowe, white or coloured Kerseis, Fryzes, Rugges, or Cottons, in the saide acte mentioned, and being repugnant and contrary to any article or sentence in the sayde statute. And the statute of 8. Eliz. 12. repealeth all and euery branch, clause, sentence, and article specified and contained in any other actes of Parliament before that time made, concerning the sealing and making of Lancashire Cottons, Frizes and Rugges. And therefore consider diligently if any statute, article, branch, or sentence of any statute made before, either of the foresayd statutes, and in this treatise expressed, be by the generall words of either of the said statutes repealed, as many other whole statutes and branches of statutes be, which here are omitted. But I suppose there is nothing repealed, which in this title of Draperie is contained, Attamen Quære.

Quære.

Dying. Dyers.

Logwood and
Blockwood
shalbe burned.

ALI Logwood alias Blockewood, in whose handes soeuer the same shall bee founde, after the feast of Saint Michael the Archangell next ensuing, shall be forfeited, and openly burned by the auctoritie of the Maior, or other head officer of the citie or towne corporate, or of two Iustices of peace of the countie where it shall bee founde. And no person shall dye, or cause to be dyed any cloth, broad clothes, Karseyes, Woolls, Penestones, Bayes, Cottons, Hose, yarne, Hattes, Cappes, Flannelles, Woodmalles, Mockadoes, Rashees, Buffings, Lust mockadoes, or any other thing whatsoever, with any of the sayde ware or stufte called Logwood, alias Blockewood, upon payne that the Dyer of euery such seuerall thing so dyed, shall forsayte the value of the thing so dyed, to the Queene, and him that will sue for the same, by Accion, Bill, Plaint, or Information in any Court of Recorde, in which supre no Essoyne, Protection, Tager, nor writte of Priviledge shall bee allowed. And the Partie offending, being thereof convicted, shall remaine in prison without Bayle or maineprie, till hee haue satisfied the same value. 23. Eliz. 9.

No cloth shall
be coloured for
black, except
it be first ground
ed in wood,

2 **N**o kinde of Cloth or Clothes, Karseyes, Bayes, Frize-
adoes broad or narrowe, Hosen or other things being in the nature
of cloth, shall from hencefoorth be mathered for a blacke, except the
same

same be first grounded with woad onely, or with woad and nle, alias blew Inde, vnlesse the madder be put in with Shomacke, or Gallis. And no person shall dye or cause to bee dyed, any cloth or clothes, or other thinges abouesayde, of what kinde or nature so euer, mathered for a blacke, not hauing a ground of woad onely, or of woad and nle, alias blew Inde, vnlesse the madder be put in with Shomake or gallis, vpon paine that the dyer of euery such seuerall thing so dyed, shall forfeite the value of the same thing so dyed, to the Queene and him that will sue for the same by A. B. P. or I. in any court of recorde, in which suite no E. P. M. nor writ of priuiledge shalbe allowed. And the partie offending, being thereof convicted, shall remaine in prison without Bayle or mainprise, till hee haue satisfied the same value. Provided alwayes that it shall and may bee lawfull to dye all maner of gall blacke, Shomacke blacke, alias plaine blacke, wherein no mather shalbe vled, as heretofore lawfully hath bene done, this Acte &c. notwithstanding.

Gall blacke
and Shomake
blacke excepted.

23. Eliz. 9. **3** Every dyer, that shall dye any of the sayde blacke clothes, Karseyes or Frizeadoes, mathered and not woaded, shall before he deliuer any of the same forth of his handes, fixe a seale of lead to euery of them, in which the letter M. signifying mathered, shall be contained, vpon payne that euery dyer offending to the contrary, shall forfeite for euery yarde of the sayde cloth, Karseyes, Bayes or Frizeadoes, iii. s. iiii. d. And if any person shall sell any cloth, karseyes, bayes or frizeadoes, mathered and not woaded, and shall not first giue notice to the buyer thereof, that the same is not woaded, shall forfeite also the double value of all such cloth, karseyes, Bayes, and Frizeadoes, as he shall so sell, which forfeitures shall bee to the partie that shall sue for the same in any court of Recorde, by A. B. P. or I. wherein no E. M. or P. &c. 23. Eliz. 9.

A seale of leade
with the letter
M

1 In what maner woollen cloth dyed, shalbe vsed in the dying. S. Draperie, 68,

Eares.

Whosoeuer shall maliciously, vnlawfully, and willingly cut, or cause to be cut off the eare, or eares of any of the Queenes subiectes, oherwise then by authoritie of lawe, chaunce medly, sodain affray, or aduenture, shall for. to the P. griued treble damages, to bee rec. by A. of trespassse, and to the Q. for a fine x. li. 37. H. 8. 6.

Cutting off
eares.

Ecclesiasticall persons, & linings.

If any person ecclesiasticall, or hauing ecclesiasticall lining, shall aduisedly maintaine any doctrine directly contrary to any of the articles comprised in a booke entituled (Articles &c. touching true

maintaining
doctrine as
gainst the ar-
ticles.

N.ii,

religion)

Draperie. Dying. Diers.

said Counties to bee transported, 8. Eliz. 6.

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Dying. Dyers.

Logwood and
Blockwood
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ALI Logwood alias Blockwood, in whose handes soeuer the same shall bee founde, after the feast of Saint Michael the Archangell next ensuing, shall be forfeited, and openly burned by the authority of the Maior, or other head officer of the citie or towne corporate, or of two Iustices of peace of the countie where it shall bee founde. And no person shall dye, or cause to be dyed any cloth, broad clothes, Karseyes, Woolls, Penestones, Bayes, Cottons, Hose, yarne, Hattes, Cappes, Flannelles, Woodmalles, Mockadoes, Rashe, Buffyngs, Tuft mockadoes, or any other thing whatsoeuer, with any of the sayde ware or stufte called Logwood, alias Blockwood, vpon payne that the Dyer of euery such seuerall thing so dyed, shall forfeite the value of the thing so dyed, to the Queene, and him that will sue for the same, by Accion, Bill, Plaint, or Information in any Court of Recorde, in which supte no Essoyne, Protection, Wager, nor writte of Priuiledge shall bee allowed. And the Partie offending, being thereof conuicted, shall remaine in prison without Bayle or mainprie, till hee haue satisfied the same value. 23. Eliz. 9.

No cloth shall
be coloured for
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Gall blacke
and Shomake
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3 Every dyer, that shall dye any of the sayde blacke clothes, Karseyes or Frizeadoes, mathered and not woaded, shall before he deliuer any of the same foorth of his handes, fixe a seale of lead to euery of them, in which the letter M. signifying mathered, shall be contayned, vpon payne that euery dyer offending to the contrary, shall forsaite for euery yarde of the sayde cloth, Karseyes, Bayes or Frizeadoes, iii. s. iiii. d. And if any person shall sell any cloth, karseyes, bayes or frizeadoes, mathered and not woaded, and shall not first giue notice to the buyer thereof, that the same is not woaded, shall forsaite also the double value of all such cloth, karseyes, Bayes, and Frizeadoes, as he shall so sell, which forsaitures shall bee to the partie that shall sue for the same in any court of Recoorde, by A. B. P. or I. wherein no E. W. or P. or. 23. Eliz. 9.

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1 In what maner woollen cloth dyed, shalbe vsed in the dying. S. Draperie, 68,

Eares.

Whofoeuer shall maliciously, vnlawfully, and willingly cut, or cause to be cut off the eare, or eares of any of the Queenes subiectes, othertwise then by authoritie of lawe, chaunce medly, sodain affray, or aduenture, shall for. to the P. grieued treble damages, to bee rec. by A. of trespassse, and to the Q. for a fine x. li. 37. H. 8. 6.

Cutting off
eares.

Ecclesiasticall persons, & linings,

If any person ecclesiasticall, or hauing ecclesiasticall lining, shall aduisedly maintaine any doctrine directly contrary to any of the articles comprised in a booke entituled (Articles &c. touching true

Maintaining
doctrine as
gainst the ar-
ticles.

Ecclesiasticall persons and liuings.

religion) and being conuicted before the Bishoppe, Ordinarie, or the Queenes Commissioners in causes ecclesiasticall, shall persist therein, and not reuoke his error, or after such reuocation, shall eftsoones affirme such doctrine, such maintaining, or affirming, and persisting, or such eftsoones affirming, shall bee a lawfull cause to depriue such person of his ecclesiasticall promotions. And it shall bee lawfull to the Bishop of the Dioces, or Ordinarie, or the saide Commissioners, to depriue such persons so persisting, or lawfully conuicted of such eftsoones affirming. And vpon sentence of depriuation pronounced, hee shall be in deede depriued. 13. El. 12.

The age of a beneficed person, and he shall read and subscribe the articles.

2 ¶ No person shall bee admitted to any benefice with cure, except hee then be of the age of xxiij. yeeres at the least, and a Deacon, and shall first haue subscribed the said articles, &c. in the presence of the Ordinarie, and publicquely read the same in the parish Church of that benefice, with declaration of his vnfained assent to the same. And if any person to bee admitted to a benefice with cure, doe not within two moneths after his induction publicquely reade the sayde articles, in the Church whereof hee shall haue cure, in the time of common prayer there, with declaration of his vnfained assent thereunto, and bee admitted to minister the Sacraments within one yeere after his induction, (If he be not so admitted before) he shall be immediatly vpon euery such default (ipso facto) depriued. 13. El. 12. And no person now permitted by any dispensation or otherwise shall retaine any benefice wth cure being vnder the age of xxi. yeeres or not Deacon at the least, or which shall not bee admitted as is aforesayde, within one yere next after y^e making of this Act, or within sixe moneths after he shall accomplish the age of xxiii. yeeres, on paine that such his dispensation shall bee meere ly voyde. 13. El. 12.

3 ¶ None shall be made minister, or admitted to preach or minister the Sacraments, being vnder the age of xxiii. yeeres, nor vlesse hee first hying to the Bishop of that Dioces, (from men knowen to the Bishop to be of sound religion,) a testimoniall both of his honest life, and of his professing the doctrine expessed in the sayde articles, nor vlesse hee bee able to answer and render to the Ordinarie, an accompt of his faith in latine according to the sayde articles, or haue a speciall gifte and abilitie to bee a preacher, Nor shall be admitted to the order of Deacon, or ministerie, vlesse hee shall first subscribe to the sayde articles. 13. El. 12. For the examination of the abilitie of a person presented to an ecclesiasticall benefice, doeth pertain to an ecclesiasticall Judge, Articuli cleri. Anno nono Edwardi, 2. 13.

The ministers age and his testimoniall. Examination of a persons abilitie.

4 **N**one shall be admitted to any benefice with cure, of or aboue the value of thirtie pounce peereley in the Queenes bookes, vnlesse hee shall then be a Batcheler of diuinitie, or a preacher lawfully allowed by some Bishop within this Realme, or by one of the vniuersities of Cambridge or Oxford. 13. El. 12.

Benefice of the
value of xxx.li.

5 **A**ll admissions to benefices, institutions, and inductions to be made of any person contrary to the forme, or any prouision of this acte, and all collaterations, dispensations, qualifications and licences whatsoever to be made to the contrary hereof, shall be merely voyde in lawe, as if they neuer were. Provided alwayes, that no title to conferre or present by Lapsle, shall accrue vpon any deprivation ipso facto, but after sixe moneths after notice of such deprivation giuen by the Ordinarie to the Patron. 13. El. 12.

No Lapsle but
after notice.

6 **A**ll giftes, grauntes, feoffements, fines, and other conueyances of estates, from the first day of the parliament begonne. 24. Ianuar. Anno Domini 1558, had, made, done or suffered, or to be had, made, &c. by any Archbishoppe, or Bishop, of any honours, castles, manors, landes, tenements, or other hereditaments, being parcell of the possession of his Archbishoppicke or Bishopricke, or vnited, apperteyning, or belonging to any of the same to any person (other then to the Queene, her heires or successors) whereby any estate shoulde or might passe from the same Archbishoppe or Bishoppe, other then for terme of twentie one peeres, or thre liues, from such time as any lease, graunt, or assurance shall begin, and whereupon the olde accustomed peereley rent, or moze, shall be reserued payable peerely, during the sayde terme of twentie one peeres, or thre liues, shall be utterly voyde, any lawe, custome, &c. notwithstanding. 1. Eliz. a statute not printed.

Leases & other
assurances of
Bishops lads,

7 **A**ll leases, gifts, grauntes, feoffements, conueyances of estates to be made, had, done or suffered, (viz. from 2. Aprilis, An. Do. 1571.) by any master and fellows of any Colledge, Deane and Chapter of any Collegiate or Cathedrall Church, master or Gardein of any hospital, Parson, Vicar, or any other, hauing any spirituall or ecclesiasticall liuing of any houses, landes, riches, tenements or other hereditaments, being parcell of the possessions of any such Colledge &c. or any way belonging to the same, or of any of them to any person &c. bodies politique or corporate, other then for the terme of xxi. peeres, or thre liues, from the time of such lease or graunt made, whereupon the accustomed peereley rent or moze shall be reserued, and peerely payable during the sayde terme, or wherof any former lease for peeres is in being not to be expired, surrendered, or ended within thre peeres next

Assurances
made by Col-
ledges, Cathedrall Churches,
parsons, &c.

after the making of any such newe lease, shall bee utterly voyde. 13.

Colledges in
Oxford and
Cambridge.

After leases
upon surrender
of old & former
covenants.

Colledges &c.
may let certain
lands for fortie
yeeres.

Colledges may
not alien their
lands except
they haue suffi-
cient & present
recompence.

Leases of bene-
fices with
cure.

after the making of any such newe lease, shall bee utterly voyde. 13. **El. 10. 18. El. 10.** And euery bande and couenant whatsoeuer made for renewing or making of any lease, contrarie to the true intent aforesaid, shall be utterly voyde. 18. **Eliz. 10.** But this act shall not make good any lease or other graunt made by any Colledge, or Collegiat Church within Oxford and Cambridge or else where, for more yeeres then are limited by the private statutes of the same Colledge. Neither shall this Acte extende to any lease hereafter to be made, upon surrender of any lease heretofore made, or by reason of any couenant or condition contained in any lease heretofore made, and now continuing, so that the lease to be made, doe not containe more yeeres, then the residue of the yeeres of the former lease now continuing, shall be at the time of such lease hereafter to be made, nor any lesse rent then is reserued in the said former lease. 13. **Eliz. 10.**

8. **C** But any of the persons, bodies politique or corporate aforesayde, may graunt, assure, or lease any houses belonging unto them, being not their Capitall or dwelling house bled for their habitation, nor hauing grounde belonging unto them, aboue the quantitie of tenne acres, or any groundes to such houses appertaining, which be situate in any Citie, Borough, Towne corporate or market Towne, or the suburbs of any of them, in such sort as by the lawes of the Realme, and the seuerall Statutes of their houses they may doe. So that no lease bee made in reuerfion, nor without reseruing the accustomed yeerely rent at the least, nor without charging the Lessee with the reparations, nor for longer time then fourtie yeeres at the most. Nor any houses of the sayde Colledges, Bodies politique, &c. shall be aliened, vntlesse that in recompense therof, there shall be before, with, or presently after such alienation, good, lawfull, and sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successors, of landes of as good value, and as great yeerely rent at the least, as so shalbe aliened.

14. **El. 11.**

9. **C** No lease made of any benefice or ecclesiasticall living with cure, or any part thereof, and not being impropried, shall endure any longer, then while the lessour shall be ordinarily resident and seruing the cure of such benefice without absence aboue 80. dayes in any one yeere, but euery such lease immediatly upon such absence shall cease and be voyde, and the incumbent so offending, shall for the same lose one yeeres profite of his sayde benefice, to be distributed by the Ordinarie amongst the poore of the Parish. 13. **Eliz. 20.**

And

And after complaint made to the Ordinarie, and sentence giuen vpon any offence committed by the incumbens, whereby hee shall, or ought to lose one yeeres profite of his benefice, the Ordinarie within two moneths after such sentence giuen, and request to him made by the Churchwardens of the same parish, or one of them, shall graunt the Sequestration of such profites to such inhabitant or inhabitantes within the parish where such benefice shall bee, as to him shall seeme meete, and vpon default therein by the Ordinarie, it shall bee lawfull to euery Parishioner where the benefice is, to reteyne his tythes, and likewise for the Church Wardens of the sayd Parish to enter and take the profites of the glebe landes and other rentes and duties of euery such benefice, to be imployed to the vse of the poore as afore sayde, vntill such time as Sequestration shall bee committed by the Ordinarie, and then aswell the Church Wardens as Parishioners shall receiue accompt of, and make payment to him, or them, to whome such Sequestration shall bee committed. And he or they, to whome such Sequestration shall bee committed, from time to time shall justly and truly bestowe the saide profites or the iust value thereof without fraude, to such uses as by the saide Statute is appointed, vpon paine of forfaiture of the double value of such withholden profites, to bee recovered in Ecclesiasticall court, by the poore of the saide parish. 18. El. 10.

Sequestration
granted by the
Ordinarie.

to giue
tythes

Parishioners
may reteyne
their tythes.

10 **A**ll Bandes, contracts, promises and couenants made for suffering any person to enioy any benefice or ecclesiasticall promotion with cure, or to take profites or frutes thereof (other then such bandes and couenants as shall bee made for assurance of any lease heretofore, v. before the same Statute made) shall bee to all intents adiu'dged of such force and no otherwise, as leases made by the same persons of such Ecclesiasticall promotions with cure. 14. El. 11.

Bandes, con-
tracts &c. for
the enioying
of benefices.

11 **E**uery person allowed by the lawes of this Realme, to haue two benefices, may demise one of them, vpon which he shall not bee ordinarily resident, to his Curate, which shall serue the cure for him, which lease shall endure no longer then during such Curates residence, without absence aboute fourty dayes in any one yere. 13. El. 20.

Demise of a
benefice to a
Curate.

12 **A**ll leases, bandes, promises, and couenants, of and concerning benefices, and ecclesiasticall liuings with cure, to bee made by any Curate, shall bee of no other, nor better force, validitie or continuance, then if the same had byn made by the beneficed person himselfe,

Bandes, con-
tracts &c.
made by a
Curate.

Ecclesiastical persons, & livings.

that demised the same to his Curate. 14. El. 11.

**Charging of
benefices.**

13. **C** All chargings of benefices with cure, with any pension, or with any profite out of the same, to bee peeled or taken, (other then rents reserved upon leases to bee made according to the meaning of this acte) shall be voyde. 13. El. 20.

**Taking of
farmes.**

14. **N**o spirituall person shall take to farme to him selfe, or to any person to his vse, of the lease or grant of the Queene, or any other person or persons, by letters Patents, Indentures, writings, by word, or other wise by any manner of meanes, any manors, lands, tenements, or other hereditaments for terme of life, yeeres, or at wil, upon paine to forfeite for every moneth that hee, or other to his vse, doe occupie such farme by reason of any such graunt or lease, ten pounde to the Queene and Informer, to bee recovered by action, information &c. wherein no Waiver, Essoyne, Protection &c. except the temporalities of an Archbishopricke, Bishopricke, or collegiall, cathedral, or conventuall church, and landes to bee letten upon a trauers tendred after an office found concerning his freeholde, and a dwelling house hauing but onely orchardes and gardenes in any citie, borough, or towne, for his owne habitation, All which, a spirituall person may take to farme (but by the sayde dwelling house he shall haue no colour of Non residence,) And also except Presidents and masters of Colledges, hauing landes or other yeerely profitcs in the right of their houses, vnder, and not aboue 800. markes, which may occupie as much of their demesne landes, see farmes, and farmes to their most profite for the onely maintenance of their householdes, as they or any of their predecessors at any time by the space of an hundredth yeeres befoze the making of this Acte, might haue done. And all spirituall persons hauing landes or other possessions in the right of their houses, aboue the yeerely value of eight hundred markes, may keepe, and retaine in their occupation and manurance, as much of their saide landes and other possessions, as shall bee necessarie and sufficient for pasturage of their cattell, and for tillage of cozne to bee imployed and spent for the onely maintenance and keeping of their householdes and hospitalities without fraud or couin. 21. H. 8. 13. Whether a lease made to a spirituall person, or to any other to his vse for terme of life, yeeres, or at will, of any landes &c. whereof hee taketh the profite, &c. be voyde by this Statute or not. S. Stat. & Quere.

Quere.

**Buying and
selling.**

15. **I**f any spirituall person doe by him selfe, or any other for him to his vse, bargain and buy to sell againe for gaine, in any markets, faires, or other places, any maner of cattell, cozne, leade, tynne,

tyne, hydes, leather, tallowe, fishe, wooll, wood, or any maner of beaste or marchandize of what kinde so euer they bee, he shall forsaite the treble value of the thinges so bought to sell againe, to the Queene and Informer to bee recovered by action, information, &c. wherein no *W. C. P. &c.* And also the said bargain and contract shall bee utterly voyde. But a spirituall person which without fraude buyeth any horses, &c. cattels, goods, &c. with onely intent at the buying thereof to imploy the same to the necessarie apparell of himselfe, his seruants, or house, or for the onely occupying, or manuring of his glebe or demesne landes annexed to his Church, or for the necessarie expences of his household, and after the buying, or exercise thereof, misliketh the same, that they shoulde not be good, profitable and conuenient for any of the purposes abouesayde, for which they were bought, then hee may lawfully bargain and put them away. And also other spirituall persons not hauing sufficient glebe or demesne landes in their owne handes, in the right of their Churches, houses &c. for pasturing of cattell, or for increase of coyne, for the onely expence of their households, or for their carriages and iourneyes, may take in farme other landes, and buy and sell coyne and cattell for the only manurance, tillage, and pasturage of such farmes, so that the increase thereof bee alwayes imployed for the onely expences in their households, and not to buy and sell againe for any other commoditie, but onely the ouerplus of such coyne and cattell aboue the expences of their households, if any such shall happen to bee bredde and increased thereof without fraude or couin. *21. H. 8. 13.*

In what cases spirituall persons may take lands in farme

16 ¶ If any spirituall person beneficed with cure, doe occupie by himselfe, or any other to his vse, any parsonage or vicarage in farme of the lease or graunt of any other person, or take any profite or rent out of such farme, he shall forsaite fourtye shillings for euery weeke, that he or any to his vse shall occupie any such farme. And also shall forsaite tenne times the value of such profite or rent which hee shall take out of any such farme, to the D. and J. to bee recovered by A. J. &c. wherein no *W. C. P. &c.* *21. H. 8. 13.*

A spirituall person shall not occupie a parsonage or vicarage in farme.

17 ¶ If any spirituall person shall haue, vse, or keepe by himselfe or any other to his vse or commoditie any Tanne house to be occupied to his vse or commoditie, or any Bue house to any other intent then onely to be spent and occupied in his owne house, he shall forsaite for euery moneth so vsing or occupying any of the said mysteries *x. li.* to the D. and J. to bee recovered by A. J. &c. wherein no *W. C. P. &c.* *21. H. 8. 13.*

A spirituall person shall not keepe a Tanne house or Bue house.

18 ¶ If any person hauing one benefice with cure of soule, being

of

Pluralities,

Ecclesiastical persons, & livings.

of the peereley value of eight pounde or aboue, doeth accept another with cure of soule, and bee instituted and inducted in possession of the same, then immediatly after such possession had thereof, the first benefice shalbe adiudged in the law to be voyde: And euery patron hauing the aduowson therof, may present another, and the presentee shal haue the benefite of the same, as though the incumbent had died or resigned. But no Deanrie, Archdeaconrie, Chauncelloshippe, Treasorership, Chauntershippe, or Prebend in any Cathedrall or collegiall Church, nor parsonage that hath a vicar endowed, nor any benefice perpetuallly appropriate, be taken vnder the name of a benefice with cure of soule. 21. H. 8. 13.

Which shall
not be said be-
nefices with
cure of soule.

These may
haue plurali-
ties by their
seruice.

19 ¶ But all spirituall men of the Queenes Counsell may purchase licence or dispensation, and take, receiue, and keepe thre parsonages or benefices with cure of soule, And all other spirituall men not sworn of her Counsell which bee Chapleines to the King or Queene, Prince, Princesse, or to any of the Kinges children, brethren, sisters, vncles or auntes, may purchase licence or dispensation, and receiue and keepe two benefices with cure of soule. And euery Archbishoppe may haue eyght Chapleines, euery other Bishop sixe: euery Duke vi. euery Marques and Earle v. euery Viscount foure, the Chauncello of England thre, euery Baron and Knight of the Garter thre, euery Duches, Marques, Countesse, Baronesse, (being widowes, or which haue taken any husbände) vnder the degree of a Baron ii. the Treasorer and Comptroller of the Queenes house ii. the Queenes Secretarie two, the Deane of the Queenes Chappell two, the Queenes Ammer two, the Master of the Rolles two, the chiefe Justice of the Kinges Benche one, the Warden of the fine Portes one Chapleine, euery of which Chapleines may purchase licence, and receiue, haue, and keepe two parsonages or benefices with cure of soule. But the Chapleines so purchasing, receiuing and keeping benefices, with cure of soule, bee bound to haue and exhibite, where neede shalbe, letters vnder the signe and seale of the Queene and other their Lord and master, testifying whose Chapleines they bee, or else not to enioy any such pluralitie of benefices. And if any person to whome any Chapleines be limited by this Act, shall by colour thereof, aduance any spirituall person, aboue the number to him appoynted, to receiue any moe benefices with cure of soule, then is before limited, then the spirituall person so aduanced aboue the said number, shall incurre the penaltie contained in this Act. 21. H. 8. 13.

Exhibiting
letters vnder
their Lordes
seales.

Aduancing mo
Chapleines
the is allowed.

Pluralities by
birth or degree

20 ¶ Euery brother, or sonne of any temporall Lord borne in wedlocke, may purchase licence, or dispensation, and receiue, haue, and

and keepe as many benefices with cure as the Chapleines of a Duke or Archbishoppe, and euery brother and sonne of a Knight bozne in wedlocke, and euery Doctor and Bachelor of Diuinitie, Doctor and Bachelor of law Canon, which be admitted to the said degrees by any of the Uniuersities of this Realme, and not by grace onely, may purchase licence, & take &c. two benefices with cure of soule. 21. H. 8. 13. And all Suffragans which shal exercise the said office of Suffragans Suffragans. by Commission of the Bishoppe, may haue two benefices with cure. 26. H. 8. 14. 1. Cl. 1. But the said libertie giuen to any of the persons aforesaide to purchase licence, or dispensacion, and receiue and keepe moe benefices then one, shall be vnderstanded, to extende in number to no moe benefices with cure of soule then is aboue limited, Sauing that the Queene may giue to any of her Chapleines being spirituall persons, what number of benefices or promotions spirituall she will. Queenes Chapleines. And also shee may graunt licence to any of them for Non residence, and the said Chapleines may accept the same, without incurring any penaltie. 21. H. 8. 13.

21. ¶ Euery spirituall person promoted to any Archdeaconrie, Residence. Deantrie, or dignitie in any Cathedral Church, or other Church conuentuall, or collegiall, or being beneficed with any parsonage, or vicarage, shall be personally resident and abyding in, at, and vpon his sayde dignitie, Prebende or benefice, or at one of them at the least. And if any such spirituall person doe not keepe residence at one of his sayd dignities, Prebende or benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two monethes to be accompted at severall times in any one yeere, and make his residence and abyding in any other places by such time, then he shall forfeite for euery such default x. li. to the Queene and Informer, to bee recovered by action, information &c. wherein no Wager, Escoine, Protection, &c. 21. H. 8. 13.

22. ¶ The Statute of Non residence shall not extende, nor be prejudiciall to any spirituall person being in the Queenes seruice beyonde the Sea, nor to any person going to any pilgrimage, or holy place beyonde the Sea; during the time of their seruice and pilgrimage, and going and returning home, nor to any scholer vnder the age of fourtie yere being conuersant and abiding for studie, (without fraud) at any Uniuersitie within this realme or without. 21. H. 8. 13. So that the sayde Scholer be present at the ordinarie lecture, aswell at home in their houses as in the common schooles, and in his proper person keepe Sophismes, problemes, disputationes or other exercises of learning, and be opponent, and respondent in the same, according

who may be discharged of residence, & by what means.

Ecclesiasticall persons, & livings.

to the ordinances and Statutes of the Uniuerſities where ſc. Noꝛ to any ſcholer of, oꝛ aboue the age of fourtie peeres, being conuerſant in any of the ſayd Uniuerſities, which is Chaunceller, vice Chaunceller, oꝛ Commiſſarie of any of the ſaid Uniuerſities, oꝛ Warden, Deane, Prouoſt, Preſident, Rector, Maſter, Principall, oꝛ other head ruler of a Colledge, Hall, &c. oꝛ Doctor of the Chaire, oꝛ Reader of Diuinitie in the common ſcholes, oꝛ Reader of any common lecture in Diuinitie, Lawe Ciuill, Phyſicke, Philoſophie, Humanitie, oꝛ any of the liberall ſciences, oꝛ common Interpreter oꝛ teacher of the Hebrue, Chaldee, oꝛ Greeke tongue in any Colledge oꝛ other place of the ſaid Uniuerſities, Noꝛ to any perſon aboue the age of fourtie peeres, which ſhall reſort to any of the ſayde Uniuerſities to proceede Doctor in Diuinitie, Lawe Ciuill, oꝛ Phyſicke, foꝛ the time of his proceeding and executing of ſuch ſermons, diſputations, and lectures, which by the Statute of the Uniuerſitie he is bounde vnto foꝛ the ſayd degree. 28. Hen. 8. 13. Neither ſhall this Statute extend to any Chapleines of the King, Queene, Prince, Princeſſe, King oꝛ Queenes children, brethren oꝛ ſiſterne, noꝛ to any Chapleine oꝛ any Archbiſhoppe, Biſhoppe, ſpirituall oꝛ temporall Loyde of the Parliament, Duchelle, Marqueſſe, Counteſſe, Vicounteſſe, Baronneſſe, (being widowes, oꝛ married againe &c.) Loyd Chaunceller oꝛ Treaſurer of England, the Queenes Chamberleine oꝛ Steward of her houſholde, oꝛ of the Treaſurer oꝛ Comptroller of the Queenes houſe, noꝛ to any Chapleine of any Knight of the Garter, chiefe Juſtice of the Kings bench, Warden of the ſiue Portes, Maſter of the Rolles, the Queenes Secretary, Deane of the Queenes Chappell, oꝛ of the Queenes Amner attending dayly in the houſholde of the ſoꝛſaid perſons, during the time that any ſuch Chapleine ſhall abide and dwell in any of the ſayde houſholdes. 21. Hen. 8. 13. Neither ſhall this Statute of Non reſidence be prejudiciall to any one Chapleine of any of the Judges of the Kings Benche, oꝛ of the Common pleas, of the Chauncellor, oꝛ chiefe Baron of the Eſchequer, of the Queenes Atturney, oꝛ general Soliciter. But euery of them may haue one Chapleine in his houſe, oꝛ attendant on his perſon, hauing one benefice with cure of ſoules, which may be abſent and not reſident. 25. Hen. 8. 16. Neither doeth this Statute extende to any one Chapleine of the Chauncellor of the Duchie of Lancaſter, oꝛ of the Maſter of the Queenes Wardes and Liveries, oꝛ of the Treaſurer of the Queenes Chamber, oꝛ of the Groome of the ſtoole. Euery of which may retaine ſingularly in his houſe, oꝛ attendant vnto his perſon one Chapleine hauing one benefice with cure of ſoule, which may be abſent from his benefice and not reſident.

resident. 33. H. 8. 28. Neither shall this Statute of Non residence be prejudiciall to the Master of the Rolles, or Deane of the Arches, nor to any Chauncellour or Commissarie of any Archbishop or Bishop, nor to as many of the twelve Masters of the Chauncerie, and twelve Advocates of the Arches as bee spirituall men, during the time they shall occupy their roomes, nor to any spirituall person, which shall by iniunction of the Lord Chauncelloz or Queenes Counsell be bounde to dayly apparance, to answer the lawe, during the time of such iniunction. 21. H. 8. 13. And the residence of him which shalbee Suffragan over the dioces, where hee shall haue Commission, shall serue him for his residence as sufficiently, as if hee were resident vpon any other his benefice. 26. H. 8. 14. 1. Cl. 1.

23. If any Chapleine of the Chauncellour of the Duchie of Lancaster, of the Master of the Wardes and Liveries, of the Treasorer of the Queenes Chamber, or of the Groome of the stoole, which is licenced to be absent and not resident vpon his benefice, doeth not repaire two times in euery yeere at the least to his benefice and cure, and there tarie viii. dayes at the least at euery time, to visite and instruct his cure, hee shall forfeite xl. s. for euery time so sayling, to the Queene and Informer, to bee recouered by A. T. &c. wherein no. III. E. 3. 33. H. 8. 28.

24. If any person being elected, preferred, presented, nominated, collated, or appointed to any Archbishopssee, Bishopssee, Colledge, Hospitall, Archdeaconrie, Deanrie, Priouostshippe, Prebend, Parsonage, (exceeding the yeerely value of x. markes, after the value vpon the recordes and bookes of rates and values, for the first fruites and tenths remayning in the Exchequer) vicarage (exceeding the yeerely value of tenne pounde after the same rate) or other dignitie, benefice, office, or promotion spirituall within any of the Queenes dominions, (the Deane and Canons of the Chappell of S. George within the Castell of Windsor, and all the possessions and hereditamentes of the same Chappell, the Uniuersities of Cambridge and Oxeforde, and certaine Colledges and Halles therein, & the Colledges of Eton and Winchester except) doeth not before the actual or real possession, or meddling with the profittes thereof, satisfie, content, and paye or compounde, or agree to paye to the Queenes vse, at reasonable dayes vpon good sureties, the first fruites, reuenues and profittes for one yeere of the sayde dignitie or promotion spirituall (which yeere shal beginne and bee accompted immediatly after the vacation or auoydance of the said promotion. 28. H. 8. 11.) and is thereof conuict, by presentment, verdict, confession or witnesse, before such as haue

These Chapleines must sometime resort to their Cure.

First fruites;

Ecclesiasticall persons, and livings.

have authoritie to compound for the said first fruits, he shalbe taken an intruder upon the Queenes possession, and hee, his executors or administrators shal pay to the Queenes vse, for every such offence, so much money as shall amount to the double value of the first fruites of the spirituall promotion for one yeere, wherein he shall enter and intrude before the payment of the sayde first fruites or agreement for the same. 26. H. 8. 3. 1. Cl. 4.

Obligations
for first fruites
in the nature
and strength
of a statute.

25 ¶ All writings obligatorie, taken for the payment of the sayde first fruites by any person deputed to compound for the same, be of the same strength, qualitie & effect, to all intents, as writings obligatorie made by any Lay person by authoritie of the statute staple bene. And no person shall bee compelled to pay for any writing obligatorie to be made, for the payment of the saide first fruites, about viii. d. nor for any acquittance for the receipt thereof, about iiii. d. 26. H. 8. 3.

The fees.

The tenth part
shalbe deduc-
ted for the
first fruites.

26 ¶ But every person named, presented, or by any meanes appoynted to any dignitie or promotion spirituall, shall at his composition and entre into specialtie for the payment of his first fruites, have allowance, and deduction of the tenth part of the whole, out of the summe to bee payed for the sayde first fruites, for the yeere wherein he shalbe first nominated, presented, or by any other meanes appoynted to any such dignitie or promotion spirituall, according to the iust rate and taxation of the Tenth of every such promotion spirituall. And then hee shall pay unto the Queenes Paier, her heires and successors the said tenth part the said first yeere. 27. H. 8. 8.

The rate how
by death or
eviction the in-
cumbent shalbe
discharged of
the first fruits
or part thereof

27 ¶ If any incumbent of any spirituall promotion chargeable to pay the first fruites, doeth live to the ende of one halfe yeere next after the last auoydance of the sayde promotion, so as he hath or without couin might lawfully haue receiued or enioyed the rents or profitcs of that halfe yeere, and before the ende of the other halfe yeere then next following doeth dye, or is lawfully euicted, remoued, or put from the sayd promotion spirituall, by iudgement in an action at the common lawe without fraude or couin, then hee, his heires, executors, administrators, and sureties, shall bee charged but onely with the fourth part of the first fruites due to bee payed for his sayde promotion, and with no more of the sayd first fruites, any thing in this Act, any bande or writing or other matter notwithstanding, &c. If the Incumbent live by the space of one whole yeere next after the last auoydance of the sayde promotion spirituall, and then before the end of one halfe yeere then next after shall fortune to dye or bee lawfully euicted, remoued, &c. then hee, his executors or &c. shalbe charged but onely with the moitie of the first fruites, &c. and with no more. If the Incum-

bent

hent liue to the ende of one whole yeere and a halfe next after the last auoydance, &c. and then before the ende of sixe moneths then next following shall fortune to dye or be lawfully euicted, &c. Then he or &c. shall bee charged but onely with thre partes of the first frutes of the same promotion spirituall in foure to be deliued, and with no more. If the Incumbent doeth liue to the ende of two whole yeeres next after the last auoydance of the same his promotion spirituall, and not be lawfully euicted, remoued, or put from the same &c. then he, his heires, executors, administrators and sureties shalbe charged with the whole first frutes. 1. Cl. 4.

28 ¶ Every Archbishop, Bishop, Archdeacon, Deacon, Prebendarie, Parson, Vicar, and other hauing any benefice or promotion spirituall, in England, or Wales, shall yeerely pay to the Queenes Maiestie, her heires, and successors, at the feast of the Natuinitie of our Lord, one yerely rent or pension, amounting to the value of the tenth part of all the reuenues, rents, farmes, cithes, offerings, and emoluments, and all other profits, aswell spirituall as temporall, belonging to any of the said dignities or promotions, (which tenth euery of them shalbe charged to pay in the proper dioces where they be, wheresoeuer their possessions & profits do lye) And which tenth euery Archbishop and Bishop is charged to leuie, collect, and receiue within his proper dioces, aswell in places exempt, as not exempt, and they, their executors and administrators, & the possessions of their Churches shall stand charged for the payment of such summes as they shall collect, & when any Sea is boyde, then the Deane and Chapter of the Cathedral Church where &c. their executors, administrators and possessions shall be charged for the execution of this Act, within the said Diocesse, But this Act doeth not charge any hospitall founded and vled, and the possessions thereof imployed to and for the reliefe of the poore, or any Schole, or the possessions of them with the payments of any tenthes, or first frutes. 26. H. 8. 3. 1. Cl. 4.

Tenthes.

The Bishops
collectors of
tenthes.Hospital.
Schole.

29 ¶ If any summe of money being once due, by any incumbent, of any dignitie, benefice, or promotion spirituall, charged to the payment of the sayd tenthes, be reasonably demaunded after the feast of the Natuinitie of our Lorde God, at his dignitie or Church, by the Archbishoppe, Bishoppe, or such as shall be charged with the collection of any part of the sayde pension, or by any of their Ministers, seruants or officers, And the said incumbent doeth not content and pay vnto the sayde Archbishoppe, Bishoppe, or other Ministers, euery yeere yeerely at the request thereof, or els within fourtie dayes after at the furthest, Then euery incumbent making such default, after the default

The penaltie
for default of
payment of
the tenthes.

Ecclesiasticall persons, & liuings.

default certified into the Queenes Eschequer in writing vnder the seales of the Archbishoppe, Bishoppe, or such as be charged with the collection of the saide tenth, shalbe adiudged, depriued (Ipso facto) of that dignitie or benefice only, whereof such certificat shalbe made. 26. H. 8. 3. 2. Ed. 6. 20. And the said Archbishoppe or Bishoppe making such certificat, (before or at the last day of May. 7. Ed. 6. 4.) shalbe discharged against the Queene for such summe of money as the sayde incumbent should haue payed. 26. H. 8. 3. And also the said Archbishops, Bishoppes, and any of their deputies, and other Accomptants authorized to accompt for them, vpon their accompts of & for the said perely tenth, shalbe discharged vpon their othes, of payment of such summes of money of the said Annuall rent or tenth as they cannot lawfully leaue. 32. H. 8. 22. S. Eschequer.

The frutes taken in the vacation restoyed to the next incumbent.

2 That nothing shalbe taken of any person hauing charge with the collection of tenth for his accompt or Quietus est.

30 ¶ If any Bishop, Archdeacon, Ordinarie, or other person to his vse, doe receiue or take the frutes, tythes, oblations, commodities, reuenues, rentes, profitcs, or casualties, comming, or growing, or belonging to any Archdeaconrie, Deanrie, Prebend, Parsonage, Vicarage, Wardenship, Prouostship, or other spirituall promotion, benefice, dignitie or office, during the vacation of the same, and vpon reasonable request made, doe not restoye and pay the same to the next incumbent, being lawfully instituted, inducted or admitted to such Archdeaconry, Parsonage, or promotion, or doeth let or interrupt the said incumbent to haue the same, Then he shall forsaite the treble value of so much, as he shall haue receiued of the sayd frutes, or hath let or interrupted the incumbent to receiue and take of the sayde frutes, tythes, &c. to the Queene and the incumbent &c. to bee recovered by A. J. &c. wherein no W. E. P. &c. For euery person presented, promoted, admitted, instituted, or inducted to any promotion spirituall, and his executors, shall haue the tythes, frutes, oblations, and all other whatsoeuer reuenues, casualties and profitcs, certeine and vncerteine belonging to the sayde promotion, growing, ryling, or comming, during the vacation of the same promotion, sauing that if the first incumbent haue sown any part of his glebe landes, hee may declare his Testament of the profite of the Cozne growing vpon the same, And also the Bishoppe, Archdeacon, Ordinarie, or their ministers may reteine in their custodie so much of the tythes, frutes, and other commodities as shall amount to pay to such person as hath serued the cure during the vacation, his reasonable stipend, and also for the gathering & leuying of the tythes, frutes, and profitcs rising & growing during

The incumbents benefice & charge shall begin during the vacation.

during the vacation, And also the yere in which the first frutes shall be payed to the Queene, shall beginne, and be accomped immediatly after the auoydante or vacation of such benefice or spirituall promotion, 28. Hen. 8. 11.

31. ¶ An vnion or consolidation of two Churches in one, or of a Church and a Chappell in one, the one of them not being aboue the peerele value of fixe pound as it is valued at to the Queene in her Eschequer, and not distant from the other aboue one mile in any place within this Realme of Englande, may be had or made by the assent of the Ordinarie and Ordinaries of the Dioces where such Churches and Chappells stand, and by the assentes of the incumbents of them, and of all such as haue iust right, title and interest to the patronages of the same, being then of full age. And such vnions and consolidations made of two Churches in one, or of a Church and Chappell in one, shalbe good and auaylable in lawe to continue for euer vnited in one, in such maner and foyme, as by wyting vnder the seale of such Ordinaries, incumbentes, and patrones it shalbe declared, Alwayes sauing to the Queene the tenthes and first frutes of all such Churches and Chappells as shalbe vnited in one, according to such like rates as the same are nowe rated at in the Eschequer, 37. Hen. 8. 21. 1. Eliz. 4.

Union of two Churches by the assent of the parson, patrone, and ordinarie.

32. ¶ But al vnions and consolidations to be made of any Church or Chappell, within any Citie or Towne corporat within England, without the assent of the Mayors, Sherifes, and Comminaltie of the Citie, or without the assent of such bodie corporat of other Townes corporat, where such Churches, Church or Chappell shalbe, by the names of their corporations in wyting vnder their common seale, shalbe clearly voyde. 37. H. 8. 21.

No vnions in corporat townes without consent of the corporations.

33. ¶ Provided that where the inhabitants of any such pooze parish, or the moze part of them, within one yere next after the vnion of the same parish, by their wyting sufficient in the lawe, shall assure the incumbent of the sayde parish for the yeerely payment of so much money as with the summe that the sayde parish is valued at in the Eschequer shal amount to eight pound, to be payed yeerely by the said inhabitants to the sayd incumbent and his successors, then all such vnions and consolidations to bee made of any such pooze parish shalbe voyde. But this prouiso shall not extend to any vnion of any Church or Chappell made befoze the making of this statute. 37. Hen. 8. 21. 1. Eliz. 4. Anno. 15. R. 2. § 4. Hen. 4. 12.

The vnion as voyded vpon a competent lawe being assured.

It was ordeined that in euer licence which should bee made out of the Chauncery to appropriate any Parish Church, it should be expressely contained that the diocesan

appropriatis,

Ecclesiastical persons, & livings.

of the place where the appropriation of any such Church should be, should appoynt according to the value of the Church, a convenient summe of money to be payed and distributed yerely of the frutes and profitcs of the same Church, to the poore parishioners of the same parish in ayde and maintenance of their livings. And that there should be also a Vicar ordeined by the ordinarie which should be well and sufficiently endowed, so that he might do diuine seruice, instruct the people, and keepe hospitalitie there.

In what cases
trees may be
cutt downe in
Churchyards.

34 For as much as the Churchyard is the soyle of the Church, and whatsoever is planted belongeth to the soyle, it must needes followe that those trees which bee growing in the Churchyard are to be numbred amongst the goods of the Church, the which Lay men haue no libertie to dispose, But because those trees be planted to defend the force of the winde from hurting the Churches, the Parsons of Churches shall not presume to cutte them downe vnadvisedlie, but when the Chauncell of the Church hath neede of necessarie reparations, Neyther shall they be conuerted to any other vse except the bodie of the Church doeth neede like repaire, in which case the Parsons of their charitie shall doe well to relieue the parishioners with the same trees. 35. Edw. 1. Ne Rectores prosteruant arbores in Cemiterio. This is not aptly to be tearmed a statute, but rather a request, counsell or aduertisment of King E. 1. Ideo quare for the validitie thereof.

Recurerie and
comeriance in
a tempozall
court of a spiri-
tuall living.

35 S. Tiches. 23. In all cases where any person hauing estate of inheritance, freeholde, terme or interest in any Parsonage, Vicarage, or other Ecclesiasticall profit made tempozall, shall be wrongfully put out of the same, he may haue his remedie in a tempozall Court by originall writ out of the Chauncerie, And also writs of couenaut, and other writtes for fines to be leuied of Parsonages, Vicarages &c. shall be sued out of the Chauncerie, and iudgements giuen and fines leuied of the same be good and effectuell in lawe.

Preachers.

1 That Ecclesiasticall parsons shal not be molested which are in preaching or doing diuine seruice. S. Arrests. 1. Preachers. 7.

Coyne sowne.

2 That an Incumbent may declare his wil of Corne sowne vpon his Glebe land. S. Testaments. 21.

Common
prayer.

3 What Ecclesiasticall persons shall forsaite which doe not say common prayer or minister the Sacraments, as they ought. S. Sacraments. 2. 10.

Othe.

4 Which ecclesiastical persons shal take the oth for the Queenes supreme gouernement ouer all estates, and vpon what payne, S. Queene. 5, 6, 8, 10.

- 5 The punishment of an ecclesiasticall person which cōpasseth to *destruction* destroy or depose the Queene, or to leuie warre within the Realme, or maintaineth that she ought not to bee Queene, S. Queene, 1, 2.
- 6 That the goods of an ecclesiasticall person shall not bee taken by any of the Queenes purueyours, S. Purueyours, 2.
- 7 That no alien shall take a benefice within Englande without the Queenes licence, neither any man occupie to his vse, nor that any bishop shall medle with the fruites of any benefice giuen to an alien, S. Premunire, 2, 3, 4.
- 8 That ecclesiasticall persons may be punished by their ordinaries for incontinencie, S. Incontinencie, 1.
- 9 That the Clergie shall make no constitutions without the Queenes assent, S. Conuocation, 2.
- 10 What apparell ecclesiasticall persons may weare, S. Apparell, 13, 14, 16.
- 11 What an ecclesiasticall person shall forf, which giueth licence to cate flesh to him that hath no neede, S. Fish dayes, 6.
- 12 What an ecclesiasticall person shal lose which passeth the sea without the Queenes licence, and doeth not returne within vi. moneths after proclamation, S. Fugitiues, 2, 3.
- 13 Howe many horses euery ecclesiasticall person is chargeable to keepe, S. Horses, 10, 11.
- 14 Howe many sheepe spirituall persons may keepe, S. Sheepe, 10.
- 15 For forcible entre or forcible deteining of ecclesiasticall li- uings, S. Force, &c, 2.
- 16 Concerning remedie for dilapidations made by any ecclesi- asticall persons, S. Dilapidations, 1, 2.
- 17 In what fees of the Church a distresse may bee taken, S. Di- stresse, 3.
- 18 For fresh suite by writte of Entre, &c; after the disseison by prelates, S. Age, 1.
- 19 Where title to present by lapse shall not accrue to the ordi- nary, but after vi. monethes after notice, S. Lapse, 1.
- 20 Where it is mortmaine for any spirituall person to enter into landes and make a Churchyard or buriall place thereof, S. Mort- maine, 3.
- 21 What assurances of lands may bee made to Churches, Chap- pels, Churchwardens, &c, in what sort, and for howe long time, S. Mortmaine, 6, 7.
- 22 Howe much ecclesiasticall persons, and their farmours shall take

Egyptians. Entre.

take for mortuaries, and of whom, S. Mortuaries,

Vacation,

23 The remedie where a disturber presenteth to a Church during the vacation, S. Auowson, 1.

24 A confirmation of Ecclesiasticall livings before assured to K. H. 8. & K. Ed. 6. S. Monasteries, 29. 31.

25 What remedie a parson of a Church shall haue to recouer land or common of pasture, whereof hee or his predecessor was deforced, S. Quod permittat, 1.

Egyptians.

Bringing ouer Egyptians or suing for licence or passport for them,

If any person doeth willingly transport into England or Wales any persons commonly called Egyptians, or doth sue for any letter, licence, or passport for any of the saide Egyptians to continue in England or Wales, contrary to this statute, he shall forfeit. l. ii. to the D. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. And also such letter, licence, and passport shall be voyd. 1. & 2. P. & P. 4.

It is felony for Egyptians to continue within this Realme a moneth,

2 **I**f any persons called Egyptians being aboue the age of xiii. yeeres, which shall be transported into England or Wales, do continue within the same by the space of one moneth, Or any persons being of the age of xiii. yeeres, shall be scene in any company of the vacabonds calling them selues Egyptians, or counterfaiting, transfourming, or disguising themselves by their apparell, speach or other behauiour like vnto Egyptians, and so shall continue, either at one, or seuerall times, by the space of a moneth, they shall bee iudged felons. 1. & 2. P. & P. 4. 5. Eliz. 20.

1 That an Egyptian shall not haue his Clergie. S. Clergie, 11.

2 That the triall vpon arraignment of Egyptians shall not be per medietatem linguæ. S. Iurors. 30.

Entre.

A disseisor disseising seized as hee away no title of Entre.

The dying seised of any disseisor, of, or in any manors, lands, tenements, or other hereditaments hauing no right or title therein, the which with strength, and without title entred into the same, and wrongfully disseised the rightfull owners and possessors thereof, shall not be taken any such discent in the lawe for to take away the entre of any such person or persons, or their heires, which at the time of the same discent had good and lawfull title of entre, into the saide manors, landes, tenements, or hereditaments, Except that such disseisor hath had the peaceable possession of such lands, &c. whereof hee shall so dye seised, by the space of v. yeeres next after the disseison therein by him committed without entre or continuall claime, by or of such person or persons.

or persons, as haue lawfull title thereunto. 32. H. 8. 33.

2. ¶ If those alienations whereof a writte of Entree had wont to be graunted, be past so many degrees, whereby that writte cannot be made according to the forme before time vsed, the plaintifes shall haue a writte to recouer their seison, without making mention of any degrees, to whose handes soeuer by such alienations the thing shal come. Marlbridg. 52. H. 3. 29.

1. Where a writ of Entre is maintainable for the disseise or his heire, against the disseisor or his heire, S. Age. 1.

Writtes of
Entre in the
post.

Error.

¶ If the tenant for terme of life, Tenant in Dower, Tenant by Curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and plead to an enquest, and lose by verdict, default, or in other maner, he to whom the reuerfion of the tenements so lost pertaineth at the time of such iudgement giuen, his heires and successours shall haue an Accion by writte of attaint, to attaint the same Turie, if he will assigne the same othe to be false, and also by writte of Error, if Error be found in the recorde of such iudgement, aswell in the life of such ternaunts that so doe lose, as after their death, And if such iudgement erroneous be reuerfed, or such false othe be found, the tenant that did lose by the first iudgement (if hee be liuing) shall bee restored to his possession of the tenements so lost with the issues in the meane time, and the partie pursuing, to the arrerages of the rent, if any be due of the same tenements. And if such ternaunt be dead at the time of the iudgement giuen, vpon such writts of attaint and of Error, restitution of the sayde tenements shall bee made to the party pursuing, with the yssues after the death of the sayde ternaunt, together with the arrerages of the rent if any to him were due in the life of the ternaunt, But although the ternaunt which so did lose by iudgement, be liuing, and the partie pursuing will alledge that the same ternaunt was of Couin, and of the assent of the demaundant which recouered to lose such tenements, yet restitution shalbe made to the same partie pursuing with the issues and arrerages, Saving to such tenant his accion by Scire facias, out of the same iudgement so reuerfed, or by writ of Attaine if he will trauerse the Couin and assent, and not otherwise. 9. R. 2. 3. S. Recoveries. 5. if any recovery be had by agreement of the parties, or by couin against any such tenant for terme of life, or against any other with voucher ouer of any such ternaunt, the same against him in the reuerfion or remainder shalbe voyde. 14. El. 8.

He in p reuerfion shall haue a writ of error and Attaine vpon a iudgement giuen against the particular tenant.

Recovery as
gainst tenant
for life.

Error. Escape.

**Error in the
Eschequer.**

2 **I**n all cases touching the Queene or other persons where a man complaineth of error made in proces in the Eschequer, the Chaunceloz and Treasozor shall cause to come before them in any chamber of counsell nigh the Eschequer, the record of the proces out of the Eschequer, and taking to them the Iustices, and such other sages as they shall thinke meete, they shall call before them the Barons of the Eschequer to heare their Informations and the causes of their iudgements, and shall duely examine the matter. And if any error bee found, they shall correct it, and amend the roubles, and after send them backe into the Eschequer thereof to make execution, as the cause requireth. 31. Ed. 3. 12.

1 That a writ of error shall be sued in the Kings Bench of erroneous iudgement giuen in the Marshallsie, S. Marshal, 5.

2 Where the defendant in writ of Error shall recouer his costs and damages. S. damages. 4.

Escape.

**Escape of an
accomptant.**

If the Sheriffe or Gaoler doe suffer any Chamberlaine, Bailiffe, seruant, or other receiuer to goe at libertie, which is committed to prison by the auditors of his accompt, by the common writte of R. plegiare, or otherwise, without his masters assent, and be thereof convicted, he shall answer to the master of such accomptant, the damages which he hath receiued by the saide accomptant, according as they may be proued by the countrey, and he therefore shall haue an A. of debt, and if the gaylo be insufficient, his superiour that committed the gaole vnto him, shall be answerable by the same writte. West, 2. 13. Ed. 1. 11. S. Accomptant, 2.

**Leuving of money
for escapes**

2 **I**f the Sheriffe or any other do take, or leuie any thing for the escape of any felon, before it be adiudged by the Justice in Cire, he shall restore to the partie, or him that payed it, as much as he receiued, and to the Queene as much, West, 1. 3. Edw. 1. 4. for the escape of felons and clerkes convicted shalbe iudged by the same Iustices and by their viewe leuied. 31. Ed. 3. 14.

**A prisoner com-
demned goeth
by bayle or bas-
ton.**

3 **I**f the warden of the Fleete, doe suffer any prisoner there being by iudgement at the suite of the partie, to goe out of prison by bayle, Mainprise, or Baston, without agreeing with the partie at whose suite he is there (except it be by the Queenes writte or commandement) he shall lose his office. And if the sayde warden be attainted by due proces, the plaintife shall haue his reuerie against him by Accion of debt, wherein no P. & C. 1. R. 2. 12. It seemeth by 7. P. 4. 4. that the wardens of the prisons of the Marshallsie, Kings Bench,

Bench, and other prisons in Cities, Boroughs, and Townes, are chargeable accordingly, if they let any prisoners condemned goe at libertie.

1 Howe they shall be punished which do procure the escape of any person committed to prison by the Queenes commandement, S. Prison. 8.

2 That the towne shall be amerced for the escape of a murderer, S. Murder. 1.

3 Howe an escape of him which disturbeth a preacher in his Sermon, shall be enquired of, presented, and punished, S. Preachers. 3.

4 That Iustices of peace haue authoritie to enquire of escapes of felons, S. Iustices of peace. 19.

Eschequer.

If a clerke of the Eschequer make any writ or proces for to proue that a debt of newe, which hath bene payde, and the tales thereof ioyned and allowed in the said Eschequer, he shall lose his office, and be imprisoned vntill hee hath satisfied the partie so much as by the discretion of the Treasorer and Barons he is endamaged. 1. R. 2. 5.

Clerke making proces for debt which is payed.

2 If any officer of the Eschequer doe take of any Archbishop, Bisshope, or other person hauing charge, with the collection and payment of the Tenth of spirituall promotions, any rewarde or thing for making his accompt, or Quietus est, in the same Eschequer, or for any thing pertaining to the same concerning the Tenth, he shall forfeite his office, and make fine at the Queenes pleasure. 26. H. 8. 3.

Nothing shall be taken of him which payeth the tenth.

3 That collectors of dismes accompting in the Eschequer shall not be bounde to answer to other mens billes exhibited against them there, S. Accomptants to the Q. 42.

4 The maner of reforming erronious iudgements giuen in the Eschequer, S. Error. 2.

If any person named, and certified into the Chauncerie by the Lorde Treasorer to be Escheator, doe not within one moneth next after his letters patents shall be offered vnto him, take vpon him the execution of the same office, or els within the time aforesaide appeare in the Eschequer, and shewe a reasonable cause why hee ought not so to doe, he shall forfeite for euery such defaulte to the Queene xx. li. 33. H. 8. 22.

within what time an Escheator appointed shall take or refuse the office.

An Escheator shall not finde an office of lands to the value of v. li. virtute officii.

The Escheator's fees when the land both not exceede v. li.

Offices returned not found or not sealed by the parties.

Not sufficient of freehold.

Every man may give evidence upon an office.

The Escheator shall receive an office & deliver a counterpane

3 **I**f an Escheator which shall sit onely by vertue of his office to enquire of the tenure, title, or value of any landes, tenementes, or hereditaments, being of the peerely value of v. li. or above, and holden of the Queene without the Queenes writ directed to him for the same, shall forfait v. li. for every time that hee shall sit and make enquire to the contrary. *gc.* 33. *H.* 8. 22.

4 **I**f any Escheator doeth take above the summe of xv. s. for the finding of an office of any landes, tenementes, or hereditaments, not exceeding the cleare peerely value of v. li. vj. for the Escheator's fee vi. s. viii. d. for the writing of the office iii. s. iiii. d. for the charges of *p* Jurie iii. s. and for the officers that shall receive the said office in any court of recorde ii. s. hee shall forfait for every time so offending v. li. to the Queene and *H.* to be recovered by *A.* *H.* *gc.* wherein no *M.* *E.* *p.* *gc.* 33. *H.* 8. 22.

5 **I**f an Escheator, or commissioner doeth returne, or put into any of the Queenes courts, any Inquisitions, or offices concerning landes, tenementes, or hereditaments not founde nor presented by the othes of twelve men, and indented, and by them sealed, the saide Escheator or commissioner shall forfeit for every such office or inquisition so returned *C.* *H.* to the partie, or parties grieved by any such inquisition or office. *i.* *H.* 8. 8. 3. *H.* 8. 2.

6 **I**f an Escheator or any other by vertue of any commission doeth sit to enquire of landes, tenementes, or hereditaments, except hee, or other to his life, hath landes, tenementes, or hereditaments, of the peerely value of xl. markes above all charges, he shall forfait xx. li. (without he be an Escheator in a citie, or towne corporate, or made by some person having priuiledge thereunto, and except the Escheators of the countie of Palentine of Lancaster and Chester:) for any person being not sufficient of free hold may refuse to sit upon the same commission, and upon proces made against him out of the eschequer shall be discharged upon his othe for non sufficiencie without fine or fee. *i.* *H.* 8. 8. 3. *H.* 8. 2.

7 **I**f any Escheator or commissioner will deny any person to give evidence openly in his presence to such enquests as shall be taken before him for the finding of any office, hee shall forfait xl. li. *i.* *H.* 8. 8. 3. *H.* 8. 2.

8 **I**f an Escheator or commissioner, or part of the commissioners (after an enquest before him sworne to enquire of landes, &c. be ready to give their verdict and offer to present the same) doe not receive the same verdict without further delaye, and also doe not deliver the counterpane of the office or inquisition by the Turpe found

founde indented and sealed by him selfe, to the same Iurie, to the intent it may be deliuered and rest in the possession of the first person of the saide Iurie, the Eschetor or commissioner which so offendeth shall forfeit. C. li. to the P. griued to be rec. by A. of debt. and euery of the Jurors sworne which shall not receiue the counterpane of the saide office indented and sealed by the Eschetor or commissioner, or shal not suffer the same to rest in the possession of the first man of the Iurie, shall forfeit. xx. s. to the D. & J. to be recovered by A. of debt, wherein no W. E. P. Ec. i. P. 8. 8. 3. P. 8. 2.

8 ¶ If an Eschetor doe exercise his office by reason of one patent ouer one whole yeere, or bee made Eschetor within thre yeeres after, then after the saide yeere ended his patent shall be voyd, except hee bee Eschetor by patent or graunt in any citie or towne corporate, or in the Duchie of Lancaster or Cornewall, or in any countie Palentine, or made by any person hauing authoritie by any priuiledge, prescription, or graunt to make Eschetor. 1. Hen. 8. 8. 3. Hen. 2. 14. Ed. 3. 8.

How long one shall be Eschetor.

9 ¶ If an Eschetor doeth not take his enquest of office by virtue of a diem clausit extremum, or any other writ within the moneth next after the deliuerie of the sayd writ vnto him, (or if he doe not take such enquestes in good townes and open places, 3. P. 8. 2.) or if he doe take priuily or openly, by himselfe or any other about the summe of fourty shillings for the execution of any writ in one countie, hee shall forfeite for euery offence fourtie pounce. 23. P. 6. 17. S. 34. Ed. 3. 13. 36. Ed. 3. 13. That if the Eschetor doe not take his enquestes in good townes openly, and by honest men of good fame, and hauing sufficient in the same countie, and by Indenture betwixt the Eschetor and the Jurors, the same enquestes shall bee voyde, and the Eschetor shalbe two yerres imprisoned, and punished at the Queenes pleasure. But for these penalties Quere.

Within what time & where an Eschetor shall take his enquest.

Eschetors fee.

10 ¶ If an Eschetor or commissioner doeth take any office before him, and doeth not returne the same into the Chauncerie, or Eschequer within a moneth after the taking thereof, hee shall forfeite fourtie pounce and also pay to the Queene so much as the is indamaged by not returning thereof. 8. Hen. 6. 16. 18. Hen. 6. 7. But if the Clerke of the petite bagge of the Chauncerie, or his deputie, or any other officer there hauing authoritie to receiue any such office or inquisition, to whose handes any such office shall come, will not receiue the same, and put it on the files, to remaine of record, within thre dayes after it bee receiued, or offered to him, the clerke shal forfeite for euery defaulte fourtie pounce, and the Eschetor or Commissioner

Quere,

Within what time an office shalbe returned.

Eschetor. Estretes.

missioners shal bee discharged of the foresaid forfaiture of xl.li. i. p. 8. 8. 3. p. 8. 2. See Office. 5. 6.

Enquest res-
turned by the
Sheriffe.

11 ¶ If any Eschetor or commissioner doeth take any enquest of enquire of any other persons, but of such as bee returned and impanelled by the Shirife of the county where hee is Eschetor or commissioner, he shall forfeit xl.li. 8. p. 6. 16. 18. p. 6. 7.

Eschetors des-
patie.

12 ¶ No Eschetor shall sell or let to farme his office, nor shall make any deputie but such for whom hee will answer at his perill. And the Eschetor shall certifie the name of his deputie or deputies vnder his letters patents to the Treasorer and Barons of the Eschequer within twentie dayes after deputation made. And no deputie shall take vpon him to occupie the saide office except the Eschetor hath landes, tenements or rents, to the value of twenty pound, vpon paine of forfaiture for every offence forty pound to the D. and T. to be recovered by A. of debt, wherein no W. C. p. 12. C. d. 4. 9. But the Eschetor himselfe shall not sit to enquire of landes or tenements, except hee hath landes to the value of forty markes. Et Quere if the statute. 1. p. 8. 8. 3. p. 8. 2. doe not therein take away the force of this statute. See 5.

13 ¶ Every Eschetor hath authoritie to enquire by the othes of xii. lawfull men of every offence done contrary to the stat. provided 7. C. d. 6. to auoyde the great prices, and excessse of wines. And every enquire and presentment taken by the othes of twelue men, shalbe of such force, as if it were taken in the Kinges Bench. 7. Edward. 6. 5. S. Wines.

1 That assise lyeth against an Eschetor which by colour of his office disseiseth any man. S. Assise. 4.

2 That an Eschetor shall haue no fee, nor commit waste in the lands of the Queenes wardes. S. Wardes. 23.

3 That Eschetors may enquire of counterfeitors of waights, and punish them. S. Waighes. 13.

4 For the Eschetors duety concerning finding of offices, &c. S. Offices.

5 What Iurors shalbe returned before the Eschetors or commissioners. S. Iurors. 13.

Estretes.

Estretes shal-
be shewed to
the party
retted.

¶ If any Shirife or minister of his, hauing receiued the greene wape to leuie the Queenes debts, doe not shewe to the partie indebted the estretes sealed, and totte the same which is payed, but that the debt which in that sorte is once payed, is another time demanded of the partie, the saide Shirife &c. shall pay to the P. griued his treble damages

damages and make fine to the D. 42. Ed. 3. 9. S. Accomptants to the Q. 45.

2 The Judge (before whome any issues or amerciaments be forfeited) shall charge the Clerke of the court vpon his othe, that he make the rolles of the estretes of such issues and amerciaments distinctly by expresse worde of the cause of the losse, of the terme of the yeere, the nature of the writ, and betwixt what parties such issues, &c. be lost. 7. H. 4. 3.

Rolles of
estretes shalbe
made certeine.

That shirifes shall make no estretes vntil two Iustices haue had the viewe of them, which estretes shalbe endented and the Iustices shall haue one part. S. Shiriffes 14. 18. 20.

Excommunication.

If a writte Excommunicato capiendo bee awarded against any person being out of prison, within the Realme, of full age, of perfect memorie, and no married wife, with sufficient addition of the defendaunts name, degree, Countie, and dwelling place, (according to the statute of 1. Henrici. 5. 5.) And that in the significant it be contained that the excommunication doeth proceede vpon some matter of heresie, refusing to haue his childe baptized, to receiue the communion, or to come to diuine seruice nowe bled, or for errors in matters of Religion or Doctrine, nowe allowed in the Church of England: or for incontinencie, vsurie, Simonie, Periurie in the Ecclesiasticall Court, or Idolatrie, the Sheriffe or other officer shall not bee compelled to bring the bodie of such person named in the writ into the Kings Bench, but shall returne the writte with declaration briefly howe hee hath executed the same. And if hee doeth returne that the partie named in the writte can not be found within his Bailiwicke, Then the Iustices of the Kings Bench shall award a Capias against the foresaid person returnable in the same Court in the terme time, two moneths, at the least next after the Terme thereof, with a proclamation to bee containned therein, that the Shirife or other officer in the full countie court at the generall assise, Gaole deliuary, or quarter sessions in the same countie, shall make proclamation at the least tenne dayes before the returne of the Capias, that the sayd partie shall within vi. dayes next after yeeld his bodie to the sherifes prison, there to remayne as a prisoner. And if the sayde partie doeth not yeelde himselfe to to the prison according to the effect of the sayd proclamation, he shal forf. to the D. x. li. And then shal another Capias in like sort be awarded with the like proclamation against the foresaid person, at which day if he do not yeld himselfe to the

Significante.

Proces in ex-
communicato
capiendo.

Sheriffes

Excommunication.

Excommunicas
to deliberando

Sherifes prison, he shall for. xx.li. And so Capias with proclamations infinite shalbe awarded with like paynes, vntill the partie hath yelved himselfe, And when any person shal yeeld his body to the Shireffe or other officer, vpon any of the said writs of Capias, Then he shall remaine in prison and custody of the Shireffe or other officer, without Bayle Baston, or mainprise, in such maner to all intents, as he should haue done if he had bene apprehended vpon the said writ, Sauing to Bishoppes and others hauing auctoritie to certifie any person excommunicate, like auctoritie to receiue the Submission, and satisfaction of the sayd person, and him to absolue, and the same to signifie into the chauncery, and thereupon to haue writs for the deliuerance of the person so absolued from the Sherifes prison, as they heretofore haue had. 5. El. 23.

2 ¶ But if the offendour against whome the sayde writ shall be awarded, shall not haue a sufficient and lawfull addicion according to the said statute. 1. Hen. 5. Or if in the significauit, it be not contayned, that the excommunication doth proceede vpon some of the causes or offences aforesaide, then all paynes and forfeitures limited against such persons by this statute by reason of such writ of Excommunicato capiendo, shalbe voyde, and by way of pleading allowed to the Id. griued. 5. El. 23.

Proces where
the Queenes
writ runneth
not.

3 ¶ After a significauit is in the chauncery of record, the tenour of the same shalbe sent by Mittimus to the head officers of such of the Countrey of Wales, of the counties Palantine of Lancaster, Chester, Durham, and Ely, and in the h. portes, where the Queenes writte runneth not, and proces of Capias, from thence not returnable into the Kings Bench, within whose office or Iurisdiction the offendour is resiant. And thereupon euery of the sayd officers shall haue like power to make proces to euery of the inferiour officers to whome execution thereof doth appertayne, returnable before the Iustices there, at their next Session or court within two moneths next after the Teste thereof, so as in euery degree they shall proceede in their sessions and courts against the offendours, as the Iustices of the kings Bench aboue are limited in terine times to do. 5. El. 23.

1 Excommunication for smiting, or laying violent handes in a Church or Churchyard. S. Fighting. 3. 4.

2 Excommunication for disobeying the sentence of an Ecclesiasticall Iudge in causes of tithes. S. Tythes. 3. 5.

3 That in the writ of Excommunicato capiendo there shall be an addition of the def. name. S. Addition. 2.

4 What the Sheriffe shall forfeite which maketh any true returne

returne vpon an exdominatio capiendo, S. Returne of Sherifes.

Execution

When a debt is recovered or confessed in the Queenes court, or damages awarded, it is in his election which doeth pursue for such debt or damages, to sue a writ of Fieri fac. That is, that the Sherife shall leuy so much of the landes, and chattels of the debtor, or else an Elegit, by which the Sherife shall deliver vnto him all the goods and chattels of the debtor, (sauing his Oxen and Beastes of his plough) and the one halfe of his landes, vntill the debt be leuied vpon a reasonable pyce and extent, and if he be put out of the same landes, hee shall recover by assise of nouel disseisin, & after by a writ of redisseisin if need be. West. 2. 13. Ed. 1. 18.

Execution by Fieri facias, or Elegit.

There shalbe no proces awarded by summons, attachment, essoin, view of land, and other solemnities of those thinges which bee recorded before the Chauncelour or Iustices, and inrolled in the roules, as is vsed in bargayne and couenantes made out of the Court, But those thinges which be found inrouled before them, which haue recoyd, or contayned in any fines, whether they be contracts, couenants, obligations, seruices or customes knowledged, or any other thing inrouled, wherein the Queenes court, without offence of lawe and custome, may execute their authoritie, bee of that force, that it shall not bee needefull to plead for them. But if the knowledge be newe, or the fine leuied within a yeere, the plaintife shall haue a writte of execution. And if the cognisance, or fine haue bene of long time, a Scire fac, shall bee directed to the Shyrife to warne the partie, against whom complaint is made, to appeare before the Iustices at a certaine day, and shewe why execution shoulde not bee made of that which is inrolled or contained in the fine. And if he appeare not at the day, or doe appeare, and can shewe nothing why execution shoulde not bee awarded, the Sherife shalbe commanded to execute the thinges inrolled or contained in the fine. And in like sort shal the Ordinarie bee commanded, in case where &c. West. 2. 13. Ed. 1. 45.

Execution of things recoyded.

If any such landes, tenements, or hereditaments, as shall bee had and deliuered to any person in execution vpon a iudgement given for him, of his debt or damages vpon a statute marchant, stat. of the staple, or recognisance to him before made or knowledged, or vpon any lawfull title or cause wherewith the saide landes &c. were liable and bounde, at such time as they were deliuered and taken into execution, shall happen to bee recovered, lawfully deuested, taken or euicted, from the possession of any such person as shall haue the same

It remembreth the Cognisance where landis taken by him in execution be recovered.

in execution, without any fraud or other default of the sayde tenant by execution, before the sayde tenant, his executors, or assignes shall haue leuied or receiued the sayde whole debt and dammages, for the which the sayde landes &c. were deliuered and taken in execution, Then euery such Recouerer, Obligee and recognisee, shall and may haue and pursue a writte of Scire facias out of the same court, from whence the sayde former writ of execution did proceede, against such person or persons, as the saide writte of execution was first pursued, their heires, executors or assignes, of such landes, tenementes or hereditaments, as were or bene then liable to the sayde execution, returnable into the same court at a certayne day being full xl. dayes after the date of the same writte, at which day if the defendaunt (being lawfully warned) make default, or appeare, and doe not shewe and plead a sufficient cause, other then the acceptance of the sayde landes &c. by the saide former writ of execution, to barre or discharge the said suite, for the residue of the saide debt and dammages remayning vniuerted, or vnreceiued by the said former execution: Then the Lorde Chancelour, or other such Justice or Iustices before whome such writ of Scire facias shalbe returnable, shall make establishe a new writte or writters out of the said former Record of Judgement, stat. Marchant, stat. Staple or recognisance, of like nature and effect, as the said former writte of execution was, for the leuying of the residue of all such debt and dammages, as then shall appere to be vniuerted, vnsatisfied, or vnpaide of the whole summe in the saide former writte of execution contained.

32.H.8.5.

Executors.

28 remedy for
executors for
things done in
the life of the
testator.

Executors shall haue a writte of accompt, and like action and proces in the same writte, as their testator shoulde haue had if hee had liued. (West. 2. 13. Ed. 1. 23.) And executors shall haue an action of Trespas against Trespassors for a Trespas done to their testator of the goods, and cattels of the same testator carried away in his life time, And shall recouer their dammages in such maner, as hee whole executors they bee, shoulde haue done if hee had liued.

4. Ed. 3. 7.

Executors of
executors.

Executors of executors shall haue an action of accompt; of debt, & of goods taken away of the first Testator, and execution of statutes Marchants and recognisances knowledged in Courte of Record to the first Testator, in the same maner as the first Testator shoulde haue had, if hee had liued. And the same executors of executors shall answer other men so much, as they haue recouered of the goods of the first testator, as y first executors shoulde haue done if they had liued.

3. Where part of the Executors named in any Testament of any person making any will of any landes, tenements or other hereditaments, to be solde by his executors after the death of any such testator, doe refuse to take upon him or them, the administration and charge of the same testament, wherein they be so named to be executors: and the residue do take upon them the charge of the same Testament: Then all bargaines, and sales of such landes &c. (so willed to be solde, by the executors of any such testator) made by him or them onely, of the saide executors, that so doth take upon him or them, any such cure or administration of any such will, shalbe as good and effectual in the Law, as is all the residue of the same executors, named in the said testament had toynd with him or them in the making of the bargain and sale of such landes, tenements, or other hereditaments so willed to bee solde, by the executors of any such testator which shall make such will. 21. H. 8. 4.

part of the executors may sell the land devised to be sold

4. In a writ of debt brought against divers executors, they shall not fourche by Essoine before apparance nor after, so that they shall have but one Essoine, as their testator should have had. And the executor or executors, which doe first appeare at the grand distresse returned, shall answer the plaintife, and if iudgement passe for the plaintife, the iudgement and execution shall be agaynst them which have pleaded, and all the residue named in the writ of the goods of the testator, as if they had all assented to plead. 9. Ed. 3. 5.

Further by Essoine.

The executor which first appeareth shall answer.

1. How executors shall recover rents due in the time of their testator. S. Rents. 1.

2. That the Fathers executors be bound to satisfie the daughter of ayde received. S. Aide &c. 1.

3. That executors may maintaine a writ of Idempnitate nominis. S. Shirifes. 23.

4. That Ordinaries shal answer as executors as far as the goods wil extend. S. Ordinarie. 1.

5. That the money or profit of lands willed to be sold, shal not be taken as any of the goods of the testator. S. Probat. &c. 8.

6. What executors or others shall paye to the ordinarie for the probate of testaments. S. Probat. 1. 2. 3.

7. Where the heire being charged, shal have remedie against his Aunccestors executors. S. Accomptants to the Queene. 27.

8. Where the executors of the King or Queene of this realme, and where the heire shal have the specialties not paid &c. S. Accomptants to the Queene. 3.

Every

Exemplification, Exigent and Outlawrie.

**Exemplifica-
tion of the
Queenes let-
ters patentes.**

Every patentee, his heires, successors, executors and assignes, and every other person having by, from or under his or their title, any estate or interest of, in, or to landes, tenementes, hereditamentes, or other thing whatsoever to such patentee heretofore graunted by any letters Patentes by any King or Queene of this Realme at any time since the 4. February. An. 27. Hen. 8. or hereafter to be graunted by the Queenes Patentes, his heires or successors, shall and may at all times in the Queenes Courts &c. and else where, make and convey to and for himselfe such clayme or title by way of declaration, plaint, barre, answere, replication or other pleading whatsoever, as well against the Queene &c. and every other person for or concerning the landes, hereditamentes, or other thinges contained in such letters patentes, or for, or concerning any part thereof, by shewing forth an Exemplification or Constat under the great seale of Englands, of the inrolment of the same letters patentes, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters Patentes then remayning in force not lawfully surrendered nor cancelled) for and concerning so much, and such part of such landes &c. whereunto such title or claime shalbe made, as if the same letters Patentes were pleaded and shewed forth. 13. El. 6. 3. Ed. 6. 4.

Exigent and Outlawrie.

**Exigent in
re spasse con-
tra pacem.
No pardon of
outlawry
without agree-
ment with the
plaintiffe.**

NO Exigent shalbe awarded, where a man is indicted of trespass, (except it be against the peace) 18. E. 3. 5.

2 **W**here the plaintiffe doth recover damages, and he against whom the damages be recovered is outlawed at the Queenes suite, no charter of pardon shall bee graunted of his outlawry (except the Chaunceloz of England be certified that the plaintiffe is agreed withal for his damages.) 5. Ed. 3. 12.

**No pardon of
outlawry be-
fore the party
doth peele him-
selfe to prison.**

3 **W**here a man is outlawed by proces before hee doeth appeare, no charter of pardon shalbe graunted, except the Chaunceloz be certified that hee which is outlawed hath yelved himselfe to prison before the Justices of the court from whence the Exigent was awarded, that is, if from the Kinges Bench, then he shall render himselfe to the same court, if from the common pleas, then hee shall render himselfe thither, and if from Justices assigned to heare and determine, sitting the same Justices, he shall peele himselfe before them, and if they be risen, then he shall peele himselfe in the Kinges Bench before the Justices, and the record and proces shall be removed before them by writ. And the Justices before whom they shall so peele themselves, shall cause the plaintiffe to be warned to be at a cer-

taine

caine day before them, at which day if the warning be duly witnessed or certified, and the plaintife doe appeare vpon the same warning, then they shall plead vpon the first originall writ, as though no Outlawrie had bene pronounced, and if the plaintife come not, he that is outlawed shall be deliuered by vertue of his charter. 5. Ed. 3. 12.

4. ¶ If any man will defeate an outlawrie pronounced agaynst him, by reason of imprisonment certified by the Shirisfe or others which haue no recorde, he shall yeelde himselfe to prison, and then the Justices of the Kings Bench shall cause the partie to bee warned at whose suite the outlawrie was pronounced, to be before them at a certaine day, at which day if the partie will auerre, that the certificate is vnttrue, his auerment shall be receiued, And in like maner shall the Ducenes Serleant or Atturney, or any other that will sue for the D. be receyued to haue such auerment agaynst such certificate, where the outlawrie is pronounced at the Queenes suit. 5. Ed. 3. 13.

Outlawrie defeated by imprisonment.

5. ¶ If, and where a writte of Exigent shall be awarded at the suite of the Queene, or any other plaintife in any accion personall agaynst any person, called of any Shire or Citie, being a Shire coporate of it selfe, or else late of any such Shire or Citie, other then into such Shire or Citie, whereunto such Exigent shall be awarded to bee called according to the lawe, and also in euery writte of Exigent in any accion personall, wherof the proces or exigent shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, and at the time of the Exigent awarded, not dwelling in London nor in Middlesex, or els that the sayde defendant or defendants in the same Exigent dwell in any other Shire or place, then where the Queenes writte runneth, then the Justices before whome any such Exigent is to be awarded, in all accions where the Exigent shall not be directed into London or Middlesex, shall atward a writ of proclamation to be directed to the Shirif of the same Countie, where it doeth appeare by the vsing of such action that the partie defendant is, or lately was dwelling, if the Queenes writte there be currant, or else to the next Shire adioyning to the Countie or Counties or other places whereof the partie is called or lately supposed by the said Exigent to haue his being, where the Queenes writte so runneth not, and in euery accion wherof the Exigent shall be directed into London or Middlesex, and the defendant in the same called late of London or Middlesex, & at the time of the Exigent awarded not dwelling in London or Middlesex. Then the writte of proclamation shall be directed vnto the Shirife of the Shire where the defendant at the tyme of the Exigent so awarded

Proclamation awarded into a foraine Countie.

Proclamation where the partie is dwelling in a Countie Palantine.

Exigent and Outlawrie.

3. Proclamations.

The Proclamation shall be deliuered to the Shire of recorder.

Outlawrie as nopped by auerment.

Exigent against any person dwelling in the xii. shires in Wales or in Lancastershire, Cheshire or Chester.

ded shall haue his dwelling, or in case where the Queenes writ runneth not, vnto the next shire thereunto adioyning, the which sayd writ of Proclamation shall containe the effect of the same accion, and the Shire of the Countie to whome any such writte of Proclamation shall be directed, shall make three Proclamations within his Countie at three seuerall dayes, viz. two in the full Shire Court of the same Countie, & the third at the generall Sessions in those parties, where the partie defendante is supposed to be dwelling, or in the parties of the Countie next adioyning to the Countie or Counties where the Queenes writ runneth not, that the partie defendante yeelde himselfe to the Shire of the foraine Countie, to whom any such Exigent in any accion personall is awarded, so that the Shire of such foraine Countie may vpon his yeelding, haue his body before the Iustices, before whome any such exigent is awarded at the day of the same Exigent comprised, there to answer to the plaintife in the same according to the law. And every such writ of Proclamation shall haue the same day of returne, as the writte of Exigent vpon such foraine actions so awarded shall haue, and every such writte of proclamation shall be deliuered of recorde to the Shire or deputie of the Countie into the which any such writ of proclamation is to bee awarded, and the Shire of the same Countie shall duely execute the same, & thereof make true returne at the day of the same writte appointed, vpon paine to forsaite such amercement vnto the Queene and her heires, as by the Iustices before whome such Exigent shall be returnable shall be set, and the officer in whose office such exigent is taken, shall make out the sayd writ and writtes of proclamation as shall be awarded in any of the sayd Courtes, and shall take no more for the making of any such writ, and the entring of the same of recorde, but onely vi. d. And if any outlawrie be had, or promulged against any person in any accion personall in any foraine Countie, and no writte of proclamation (as is aforesaid) awarded & returned, then every such outlawrie shall be utterly voyde. And all outlawries had contrary to this act shall be auoyded by Auerment, without sayng of any writ of error. 6. H. 8. 4. S. Indictment. 4. 5. proces into a foraine Countie vpon an Indictment of Felonie, Treason or Trespas.

6 ¶ Whensoever any writ of Exigent shall be awarded at the suit of the D. or any other person plaintife in any accion or suit in the kings bench, or common ples, against any person dwelling in any of the xii. counties in Wales or in any of the counties Palantine of Lanc. Chester, or the Citie of Chester, then immediately vpon the awarding of every such exigent, the Iustices before whome any such exigent shall be

he sued &c. haue auctoritie to award one writ of proclamation, according to the tenor and effect of proclamations awarded vpon exigents directed out of any of the said Courts into London, or into any other Shires within this Realme, agaynst any other person dwelling in any other Shire where the Queens writ is currant, according to the order & forme of the foresaid statute 6. Hen. 8. to be directed to such of the shirifes of any of the foresaid Counties in Wales, & of Lancaster, Chester & of the Citie of Chester, where it shall happen the said defendant agaynst whom the said accion shalbe sued, to be dwelling. (But of the writs directed to the Shirife of the Countie of Lancaster, none shalbe directed to y^e Shirife of any other countie next adioyning, according to the foresayde statute of 6. H. 8. 5. Ed. 6. 26.) And euery such writ of proclamation shall haue the same Teste, and day of returne as the Exigents, wherevpon euery such writ of proclamation shall be awarded shall haue, and euerie Shirife to whom any such writ of proclamation shalbe directed, shall make proclamation of the sayde writ of proclamation, according to the tenor of the same, and shall make true returne of the same in such Court, and before such Iustices, as the tenor of the same writ shall require. And all outlawries pronounced or promulged agaynst any person vpon any such Exigent awarded agaynst any person dwelling in any of the sayd Counties, and no writte of proclamation awarded in forme abouesayd to the Shirife of the Countie, where the partie defendant shall be dwelling, or not returned, shalbe voyde, 1. Ed. 6. 10.

7 ¶ Euery Shirife of euery of the said counties of Wales & of the counties palatine of Lancaster, Chester, & of the City of Chester, shall haue in euery of the Courts of the Kings bench, and common ples, one sufficient deputie at the least, to receyue all writs directed to such Shirife, for whom the same deputie or deputies shall be appoynted, in like maner and forme, and vpon like paines, as by the lawes and statutes of this realme other shirifes of other shires within this Realme of England be bound to haue in either of the same Courtes. And all writs of proclamation shalbe deliuered vnto euery such deputie of record in the same courts: And also like fees shall be payde for making euery such writ of proclamation, and for the inrolling of the same of record, as is before limited in the stat. of 6. Hen. 8. 1. Edw. 6. 10. 5. Ed. 6. 26. 23. H. 6. 10. S. Shirifes, 10.

8 ¶ If any such writte of proclamation directed to any of the shirifes of any of the said xii. shires in Wales, or Counties palatine &c. be deliuered to any of the sayde shirifes or to his Deputie, and the same Shirife do not make true returne thereof into such Court, out of

*These shirifes
shal haue deputies
in the common
place and
Kings bench.*

*The shirifes
foyl. for not re-
turning a writ
of proclama-
tion.*

Exigent and Outlawrie.

which the sayde writ of proclamation shall be awarded, hee shall forfeite for every default of non returne to the Queene and Informer v. li. to be recovered by Action of debt, wherein no *W. & C. P.* &c. 1. *Ed. 6. 10. 5. Ed. 6. 26.*

*Proces as
gainst persons
outlawed.*

9 ¶ If any person dwelling in any of the sayde Countyes in Wales shalbe outlawed in any suite or action aforesaide, then writs of speciall Capias vlagatum, single Capias vlagatum, Non molestandum, and all other proces for and against any person outlawed, shall and may be directed to the Shirife of any of the sayd Counties in Wales, as immediate officers of the Courts of the Kings Bench or common ples in that behalfe. And every such writs may bee delivered of recorde to the deputie of such of the sayde Shirifes, to whom any such writ or proces shall be directed, And every such Shirife shal make execution, and returne of every such writte or proces to him directed, vpon paine of forf. to the Queene and her heires such amercia- ment, as by the discretion of the Iustices before whome such writte shall be returnable shalbe set, 1. *Ed. 6. 10.*

*Proces direc-
ted to the Chan-
celour of the
Duchie.*

10 ¶ If any person dwelling in the Countie Palantine of Lan- caster, shal be outlawed in any such suite or action, as is aforesaid, then all writtes of speciall Capias vlagatum, single Capias vlagatum, Non molestandum, and all other Proces for, or against any person so outlawed, shall and may be directed to the Chauncelloz of the Duchie of Lancaster, who shall make like writtes and proces there- upon, and of like effect, sealed with the Seale of the sayd Countie Palantine of Lancaster, to bee directed to the Shirife of the sayde Countie Palantine for the time being, as it hath bene vsed in such ca- ses, 5. *Ed. 6. 26.*

11 ¶ But these two statutes nor any thing in them contayned shall extende, or be preiudiciall to any Lorde Barther in Wales, nor to any of their heires, nor to the sayd xii. Counties of Wales, nor to the sayd Counties Palantine of Lancaster, Chester, or of the Citie of Chester, concerning such Liberties, Franchises or Priuiledges as belong to any of them, nor to any Ministers or officers of any of them, in other maner then by the true meaning of these actes is declar- ed. 1. *Ed. 6. 10. 5. Ed. 26.*

*Exigent vpon
the statute of
liueries.*

12 ¶ No Exigent shall be awarded by the Iustices within the Counties Palantine of Lancaster or Chester, or the Bishoprike of Durham, against any person vpon any information, suit, or proces, to be made by force of the statute provided. 8. *Ed. 4.* against giuing of li- ueries or Badges and retaining. And if any Exigent be awarded, and outlawpie thereupon pronounced, then the same shall be voyde, with-
out

out any suit by writ of error or otherwise. 8. Ed. 4. 2.

1 That an Exigent shall not bee awarded against the accessarie, vntill the principall be attainted, S. appeales. 3.

2 That where an Exigent is to be awarded, there shalbe addicion to the defendants name, S. Addicion. 1.

3 That proces of Outlawrie awarded against offenders in Treason being out of this Realme, shalbe good. S. Treason. 11.

4 Where one that is supposed to be outlawed, shall auoyde the seysure of his lands & goods, by entring into band to the Shirife &c. to answer the Queene &c. S. Shirifes. 23.

5 That the indicttee shall forf. his Cartels by Exigent against him awarded, S. Indict. 5.

6 Where an Exigent shalbe awarded against an Accomptant, S. Accompt. 2.

Extortion. Exaccion.

IF any Shirife, Coroner, or other Officer of the Queenes, doe take any thing to doe his office, he shall render double to the partie, West. 1. 3. Ed. 1. 26. Officers.

2 If the Serieant, Crier, or Marshall of any iustice, doe wrongfully take money of any which doeth recouer lande, obtaine his suite, leuie a fine, or prosecute any suite touching any plea of the Crowne, hee shall bee punished at the Queenes pleasure, and yeelde treble dammages to the partie griued. And if hee bee Serieant of fee, his Office shall be seysed into the Queenes handes. West. 1. 3. Ed. 1. 29. Seriant, Crier
Marshall.

3 For Extorcion of the Shirife, Bailife &c. for arresting for letting to bayle, making of panels, or graunting of Copies, S. Shirife. 6. 7. 8. 9. Shirifes.

4 For Ex. by Auditors, or their Clearkes. S. Auditors &c. 2. Auditors.

5 For Ex. by Receiuors or their deputies, S. Auditors. 3. Receiuors.

6 For Ex. by them which make dispensations, faculties, licences, or other such instruments. S. dispensations. 1. Dispensations.

7 For Ex. by them which haue spirituall iurisdiction, or any substitute or minister of theirs for Citations, S. Citation. 3. Spiritual
Judges.

8 For Ex. by the Clerke of the signet or priuie seale, S. Clerke of the Signet. 1. Clerke of the
signet.

9 For Ex. of Masters, Wardens of fellowships or Craftes, vpon any apprentice, or other whose prentishippe is expired, S. Corporations. 4. Wardens of
fellowships.

10 For Ex. by any Coroner, S. Coroner. 16. Coroner.

11 For Ex. by those which haue commissions to leuy musters, or make Muster mas
ters.

Extortion, Exaction.

- make men serue in the warre. S. Captaines &c. 13.
- Clerkes of the Eschequer.** 12 For Ex. by Clerkes of the Eschequer, of any Byshop or other, that hath the receipt of Tenthes. S. Eschequer, 2.
- Wales.** 13 For Ex. in Wales without the Commissioners consent. S. Wales, 104.
- Wales.** 14 For Ex. vpon them which trauaile through Forrestes in Wales. S. Wales, 112.
- Eschetors.** 15 For Ex. by Eschetors, finding Offices of landes. S. Eschetors. 3.9.
- Custos breuium.** 16. For Ex. in the chiefe Clerke of the Common place, for the entring of the concord of any fine. S. Chirographer, 2.
- Chirographer.** 17 For Ex. in the Chirographer of the common place, his deputy, or Lieutenant. S. Chirographer, 1.
- Admirall.** 18 For Ex. by the Admirall, or any officer of the Admiraltie, of any marchant or fisherman for licence &c. S. Fish. 2.
- Wardes.** 19 For Ex. by the Officers of the Court of Wardes & Liueries. S. Wardes, 28.
- Officers of courts.** 20 For Ex. by the Officers of any Court which make any writ of proclamation, into a forreine Countie. S. Exigent, 5.9.
- Marshall.** 21 For Ex. in the Marshall or any of his Officers. S. Marshall, 6.
- Officers of Boroughs.** 22 For Ex. taken by the head Officers of any Borough of Marchants, for Scauage and Sewage. S. Marchants, 2.
- Ordinaries.** 23 In what sort Ordinaries shall be indicted of Extortion or oppression. S. Ordinarie, 2.
- Ordinaries.** 24 For Ex. by Ordinaries for prouing of willes, or committing of administration. S. Probate of testament. 12.
- Norwich.** 25 For Ex. in the Maior, Recorder, Stewarde, or Iustice of peace in Norwich for admitting any person to occupie the arts of making Hattes, Couerlets, or Dornikes. S. Hattes, 3. Couerlets, 5.
- Recognisance.** 26 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S. Statutes, 13.
- Clerke of the market.** 27 For Ex. by Clerkes of the market. S. Clerke of the market. 1.
- First fruites.** 28 For Ex. in taking money for Obligations or acquittances, for first Fruitcs. S. Ecclesiasticall persons, 25.

Faires and Markers.

No man shal
keepe a faire
longer then he
ought.

They which haue Faires by Charter or otherwise, shall holde them no longer then they ought to doe, vpon paine of seisure of the same to the Queene, untill they haue made fine vnto her for the sayd offence. And euery owner of a Faire, shall proclaime at the beginning thereof how long it shall last, and after the sayde time euery Marchant

Marchant shall shut vp his Booth, and stall, and if any marchant doe sell any ware or Marchandize at the sayde faire, after the same be ended, he shall forfeit the double value of that which he hath solde, to the R. & c. 2. Ed. 3. 15. 5. Ed. 3. 5.

2 ¶ If any faires or markets be kept vpon good Friday, Corpus Christi day, Ascension day, all Saints day, the day of the Assumption of our Ladie, Whitsunday, Trinitie Sunday, or other Sunday (the foure Sundayes in haruest excepted) and any goods or marchandize in them be shewed (necessarie vitaille onely excepted) the owners shall forfeite all their goods shewed, to the Lorde of the libertie or franchise where &c. But they which haue no power to keepe faire or market but vpon such dayes, may keepe it within iii. dayes before or after any of the sayde feastes, after Proclamation first made what day the fayre shall be holden. 27. H. 6. 5.

Certain dayes wherein faires and markets may not be kept.

3 ¶ If any Stewarde, Understeward, Bailife, or other Officer or minister of any Court of Hipowders, pertaining to a faire, will holde plea vpon an accion, at the suite of any person, vnlesse the pl. or his Atturney doe in presence of the defendant swear vpon the holy Euangelistes vpon his declaration, that the contract or other facte contayned in the declaration, was made or committed within the tyme, Iurisdiction, and boundes of the same faire, he shall forfeite C. s. to the Queene, and him that will sue by A. of debt: for if the pl. refuse the foresayde othe, the def. ought to be dismissed out of the same Court, and the pl. shall take his remedie at the common law &c. But though the pl. do affirme the same, yet the def. shall not be concluded, but shall answer and pleade to the accion, or in abatement of the playnt, and profer an issue, that the same contract, tre spasse, or other fact, was not committed within the time of the faire, or iurisdiction of the same, but els where &c. But this statute shall not preiudice the Bishop of Durham or his successors, within the liberties of the sayde Bishopricke. 17. Ed. 4. 2. 1. R. 3. 6.

In every court of Hipowders the pl. shall be sworn &c.

4 ¶ If the owner, Gouvernor, farmer, stewarde, bailife, or chiefe keeper of any faire, or market ouert, where horses, mares, geldings, and coltes haue bene and shall be vsed to be solde, doe not pecerely appoint one speciall open place, within the Towne, place, felde or circuite where horses, mares, geldings or coltes shall be sold, and also one sufficient person or more to take tolle, & to continue in the same place, from x. of the clocke in the forenoone, vntil the Sunne be set daily, during the continuance of the sayde faire, he shall forfeite for euery default xl. shillings to the Queene and Informer, to bee recouered before the Iustices of peace, or by A. J. &c. wherein no W. &c. C. P. &c.

A place appointed for horse faire.

Tolle gathered

Faires and Markets.

2. and 3. P. and D. 7.

When, where,
and of whom,
toll for horses
shall be taken.

The using of a
stollen horse to
take away the
owners pro-
prie.

5 **T**he Tolle gatherer of euery Faire or Market, shall take his lawfull Tolle for euery horse, mare, gelding, & colt sold, exchanged, or put away in the saide Faire &c. and at the open place appoynted for the sale of horses, betwixt the houres of ten in the forenoone, and the sunne set, if it be tendered and at no other time or place, and shall haue before him the parties to the bargaine, at the taking of the Tolle, and also the horse &c. solde, and shall write the names, surnames, and dwelling places of the parties, and the colour, and one speciall marke of the horse, or else he shall forf. for euery default xl.s. to the Q. and J. to bee recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. For the sale of any stollen horse &c. in a faire or market, shall not take away the proprietie from the owner thereof, except the same horse be openly ridden, led, walked, driuen, or kept standing by the space of one houre at the least, betweene ten of the clocke in the morning, and the Sunne set, in the open place of the Faire, where Horses are commonly vled to bee solde, and not in any house, yarde, backside, or other secret place, and vlesse all the parties to the bargaine being present in the sayde Fayre &c. shall come together, and bring the horse so solde, to the open place appoynted for the Tolle taker, or booke keeper, and there enter their names and dwelling places, and the colour, and one speciall marke of the horse, and pay the Tolle for the same, if any bee payable in that Fayre, or else the buyer to giue a peny for entring &c. for where Toll is not due by reason of the libertie of any Faire or market, the keeper of the booke shall not exact aboue a peny for a contract. And if any horse, mare, gelding, or colt, the cuiusly stollen, or taken away, bee solde, giuen, exchanged, or put away in any Faire or market, and not vled in all poyntes, as is aforesayde, then the owner thereof may take againe the same, or haue an action of detinue or repleuin for the same horse, &c. 2. & 3. P. & D. 7.

A note of all
horses sold in
a faire.

6 **T**he Tolle gatherer or keeper of the booke, shall within one day next after euery Faire or Market ended, bring and deliuer his booke to the owner, Steward, Bailife, or chiefe Gouernour of the Faire &c. who shall cause a note to be made, of the nomber of all horses &c. solde at the sayde Faire, and shall subscribe his name or set his marke thereunto. And who so maketh default, shall forf. for euery offence fourtie shillings to the Queene & Informer, to be recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. & also shall answer the partie which is griued by his negligence in euery behalfe. 2. & 3. P. & D. 7.

7 **C**S. Statut. de Mercatoribus. 13. Ed. 1. The Queene shall provide a seale for faires, & the same shalbe sent vnto euery faire vnder the Queenes seale, by a Clerke swoyne, or by the keeper of the faire. in seale for euery faire.

8 **C**S. Statute Winchester. 13. Ed. 1. 6. Faïres nor markets shall Churchyards, be kept in the Churchyards, for the honour of the Church.

9 **C** Every free man, and Citizen of the Citie of London, may leade, carie, or go with his victuall, ware, or marchandize whatsoeuer it be, to any faire or market within England: Any statute or ordinance made or to be made within London to the contrary notwithstanding. Londoners may carie their wares to any faire or market And the said ordinance &c. shalbe voyd, and no person shalbe hurt in losing of his libertie by adnulling of, or not obeying the same. And if any person doeth cause an other to be preiudiced by the same, hee shall for. to the D. & J. x. li. to be recouered by A. of debt. 3. H. 7. 5.

1 Who may buy cattell onely in the Faire and market, and who else where. S. Cattell. 2.

2 That Lords offaires & markets, shall appoint ii. or iii. to search and seale Lether. S. Lether. 25.

False Iudgement.

NOne (but the Queene) shall hold plea in his Court, of false iudgement giuen in the Court of his tenants: for such pleas doe specially belong to the Queenes Crowne & dignitie. Marib. 5 2. H. 3. 20.

Farmes.

If any person doe take any seuerall Farmes more then one, of any manors, landes, tenements, parsonages or tythes within the Isle of Wight, whereof the farme of them all together shall exceede the summe of x. markes peerely, the lessee shall forsaite to the Queene for euery such taking x. pound. 4. H. 7. 16. Farmes in the Isle of Wight.

2 **C** Whosoever doeth receyue or take in farme for terme of life, peeres, or at will, by Indenture, Copy of court Rolle, or otherwise, any moe houses, or tenements of husbandrie, whereunto any landes are belonging, in towne, village, hamlet, or tithing within this Realme, aboute the number of ii. such holdes or tenements, or hath or occupieth any such holdes so newly taken to the number of ii. except he be dwelling within the same parishes where such holdes be, he shall forsaite to the D. & J. for euery weeke that he shall haue, occupie or take any profits of such holdes contrary to this Acte iii. s. iiii. d. to be recouered within one yere next after such offence committed, by A. J. &c. wherein no. W. &c. E. P. &c. 25. H. 8. 13. No man shall take aboute two farmes.

1 When landes seysed into the Queenes handes vpon an Enquest

Felonie.

quest taken before an Escheton, may be let to farme, and to whom.
S. Patents. 13.

2 That the Shirife shall not let to farme his Countie, his Bailiwicks, hundreds, nor wapentakes, S. Shirifes. 5.

3 That Ecclesiasticall persons may not take any farmes, S. Ecclesiasticall. 14. 16.

Felonie.

Conueying
horses into
Scotland.

It is felonie by statute, to sel, exchange or deliuer within Scotland, or the batable ground betweene England and Scotland, to the vse of any Scottishman, any horse, mare or gelding, or to sell, exchange, or deliuer in England, Wales, Barwicke, or y^e Marches of the same, or in the said batable ground, to the intent to be conueyed into Scotland, any horse, mare or gelding, without the Queenes licence vnder her great seale. And in like sort it is felony to buy the same. And it shal be lawfull to euery of the Queenes subiectes inhabiting in the marches against Scotlande, to arrest any Scottishman conueying such horse &c. And he shall haue one moitie of the price of the horse, and the Q. the other. 23. H. 8. 16. 1. El. 7. S. Horses. 14.

Transporting
of sheepe.

2 And the second time to bring, sende, deliuer or receyue, or to procure to be bought, sent, deliuered, or receyued into a shippe or Borthome, any sheepe being aliue, to be conueyed out of the Queenes dominions. But there shall be no corruption of blood nor sort, of land or dower by reason of this Felonie. 8. El. 3. S. Sheepe. 1. 2.

Enlarging of
prisoners.

3 And to conspire, deuise, inuent, or go about vnlawfully & maliciously to enlarge or set at libertie any person committed to prison, ward, or custodie by the Queenes speciall commandement, which is indicted of Treason touching the Queenes person, & the same conspiracie &c. by wordes, wyting, or other act, manifestly to set forth or declare. 14. El. 2. to endure during the Queenes life. S. Prisons. 8.

Taking or destroying
the Queenes castles.

4 And vnlawfully to conspire, compassse, imagine, practise, or deuise to take or keepe from the Queene any of her Castels, towres, fortresses, or holdes, or to race, burne, or destroy any of them, or any part of them, hauing munition or ordinance of the Queenes, or appointed to be garbed with souldiours for defence thereof, within any the Queenes dominions, or the marches of the same, and the same conspiracie &c. abusedly by any act, wordes, or wyting to declare for any of the malicious & rebellious intents aforesaid, and it is felonie to be ayding, counsailling, comforting, or abetting to any such conspiracie, knowing thereof. 14. El. 1. S. Castels. 1.

Wagabonds.

5 And for a Wagabond of the age of xviij. yerres or aboue, which hauing receyued his punishment, or iudgement giuen of whipping and

and burning through the gristle of the right eare, doeth after lx. dayes after the sayd marking, fall againe to a rogish lyfe. And for a Vagabond which vpon his seconde conuiction is taken into seruice, and from thence departeth within two yeeres against the wil of him which tooke him into seruice. And for a Vagabonde in the seconde degree conuicted, which shall after a thirde, fourth, or oftener time be indicted and conuicted of a rogish life. But there shall be no corruption of blood by any attainder by these felonies, neither shall any person bee accessarie to any felonie made by these Stat. 14. Eliz. 5. 18. Eliz. 3. S. Vagabonds. 6.

6 ¶ And to practyse, vse, or exercise any Imuocation, or Coniuration of euill and wicked spirites for any intent, or to be ayding or counselling to any such offendor. But there shalbe no corruption of blood, or forfaiture of land or dower, by reason of this felonie. 5. Eliz. 16. S. Coniuration. 1. Coniuration.

7 ¶ And to exercise witchcraft, enchantment, charme or Sorcery, whereby any person shalbe killed or destroyed, or to be ayding or counselling to any such offendor. But there shalbe no corruption of blood, or forfaiture of land or dower &c. 5. El. 16. S. Coniuration. 2. Witchcraft.

8 ¶ And the seconde time to practyse witchcraft, enchantment, charme or sorcery, whereby any person shalbe consumed, or lamed in his bodie or member, or any of his goods or cattels destroyed or impaired, being once of the like offence conuicted before, or to be counselling or ayding to such offendor: But no corruption of blood, or forfaiture of land or dower &c. 5. El. 16. S. Coniuration. 3. Enchantment, Sorcery.

9 ¶ And to commit Buggery with mankinde or beast. 25. H. 8. 6. Buggerie. 5. Eliz. 17.

10 ¶ And for any seruant (other then Apprentice) being of the age of xviij. yerres to go away with any money, Jewels, goods, or cattels, or any part thereof of his masters or mistresses, of the value of xli. s. or above, deliuered vnto him to keepe by his master &c. to the intent to steale or defraude his master or mistresse thereof, or being in seruice with his said master, to imbesil, or to conuert to his owne vse, money, goods &c. of the sayde value, without his masters commandement, to the intent to steale the same. 21. H. 8. 7. 5. El. 10. Seruants imbesilling their masters goods

11 ¶ And for a seruant imbesilling his masters goods after his death, which doeth not appeare in the Kings bench to answer thereunto, at such time, as by writte directed, and Proclamation made, he shalbe demaunded. 33. H. 6. 1. Seruants imbesilling their masters goods after their death.

12 ¶ And for any person of the age of xliij. yerres or above, calling himselfe an Egyptian, or being in companie with those which call Egyptians.

Felonie,

call themselves Egyptians, or disguising himselfe in apparel, speech, or otherwise, like vnto them, and so to continue at one or seuerall times within England or Wales, by the space of a moneth. 1. & 2. P. & P. 4. 5. Cl. 20. S. Egyptians. 2.

Conspiracie to
destroy the
Queene or any
Lorde.

13 **C** And for any man being the Queenes seruant sworne, and whose name is in the cheeke Roule of her housholde, seruing in any office or vouch vnder the estate of a Lorde, to confederate, imagine, compass or conspire with another to destroy or murder the Queene, or any Lorde of this Realme, or any other sworne to the Queenes counsell, or the Steward, Treasurer, or Comptroller of the Queenes house. 3. P. 7. 13. S. Queene. 17. that the compassing of the Queenes death or bodily harme tending to death, and by wryting, speech &c. declaring the same, is high Treason.

Rape.

14 **C** And to rauish any woman, where shee doeth not consent, before nor after. And to rauish any woman with force, though she doe consent after. West. 2. 13. Ed. 1. 33. And unlawfully and carnally to know and abuse any woman childe, vnder the age of x. yeeres. 18. Cl. 6. S. Rape. 1. 2.

Breaking
pysion.

15 **C** And for any person to breake pysion being therein for Felonie. 1. Ed. 2.

Taking a wo-
man against
her will.

16 **C** And to take any mayde, widowe, or wife, hauing landes or goods, or being heire apparant to her auncestor, agaynst her will unlawfully, and to receiue any so taken knowing thereof, and to procure and abett the same. 3. P. 7. 2. S. Women. 9.

To make a pris-
oner become
approuer.

17 **C** And for a Gaoler, keeper, or underkeeper of pysion, to make any prisoner in his warde to become approuer against his will by too great durcs of imprisonment, & by paine. 14. Ed. 3. 10. S. Prisons. 9.

Imbeceling of
recordes,

18 **C** And for any Clerke or other person to steale, take away, withdraw, or willingly auoyde any record or parcell of record, writte, retourne, panell, proces, or warrant of attorney in the Chauncerie, Eschequer, Kings bench, Common place, or Tresurie, whereby any Judgement shalbe reuersed, or to be a Councelor, procuro, or abbetor thereunto. And halfe the Enquest which shall trie the Felonie shal be of the same Court, and halfe of other persons. 8. P. 6. 12.

Cutting of
tongues, put-
ting out of eyes

19 **C** And of malice pretended, to cut out the tongue, or put out the eyes of any of the Queenes subiects. 5. P. 4. 5.

Imbeceling of
a hauke,

20 **C** And for any person finding a Fawcon, Laner, Laneret, Tercelet, or other hauke, which doth not bring the same to the shirife of the same Countie, that he may make proclamation in all the good townes of the Shire, to the intent the owner may haue knowledge thereof, but doth imbecill the hauke. 37. Ed. 3. 19. S. Haukes. 2.

21 **C** And

21 **C** And to practise the art of multiplying of golde or silver. *Multiplicatis.*
3. Hen. 4. 4.

22 **C** And for to cause *Malsons* to confederate them selues in *Malsons*.
Chapters, and assemblies whereby they so do. 3. H. 6. 1

23 **C** And for him which is entred of recorde a *Souldiour*, & hath *Souldiour*,
 taken part of the *Queenes* wages, or for a *Pariner* or a *Summer*, ta-
 king *prest* wages to serue the *Queene* on the sea, not to come vnto, or
 to depart from his *Captaine* without licence. *18. Hen. 6. 19. 2. E. 6. 1.*
5. El. 5. 4. & 5. H. 8. 3. S. Captaines. 3.

24 **C** And for any person to hunt vnlawfully in the night, in any *Hunting in the*
Forest, Parke, or warren, or with painted faces, visours, or other dis- *night or with*
guisings to the intent he would not be knownen, and being thereof ex- *disguisings.*
amined by one of the Queenes Counsell, or a Justice of peace of the
same Shire, to conceale the offence or any offender. And for any per-
son which should be arrested, to disobey, or make rescue to any person
hauiing warrant to arrest such hunter, so that execution of the same
warrant thereby be not had. 1. H. 7. 7. S. Justice of peace. 16.

25 **C** And for any *Purueyour*, *Taker*, or other, to make *puruey-* *Purueiours,*
ance for the *Queenes* house or *Wardrobe*, without warrant, and to
 carrie any thing away agaynst the consent of the owner. *28. Ed. 1. 2.*
 And for any *Purueyour* after *Commission* to him directed, to buy or
 prouide, or to take any carriage in other maner then is comprised in
 his *Commission*. *36. Ed. 3. 2.* And for any *purueiour*, not to make his
 prouision by the testimonie and appraysement of the *Constables* and
 foure honest men of the towne, where he maketh his *pyses*, and not to
 deliuer tales or *Indentures* sealed with his seale, testifying the same.
5. Ed. 3. 2. 25. Ed. 3. 1. and for any *Purueyour* to take more *bitastles*
 or *carpages* for the *Queenes* house, or more great horses then he hath
 deliuered to the same house. *36. Ed. 3. 4.* And for any *purueyour* to
 take more sheepe before sheare time then be sufficient for the *Queenes*
 house, and to carie them to his owne house, and sheare them. *25. Ed. 3.*
15. S. Purueiours. 4. 9. 17. 18. 19.

26 **C** And estoones to commit any of the offences prohibited by *Forging of*
 the statute prouided. *5. El. 3.* against the forging of euidences and wi- *euidence.*
 tings, being once before conuicted, or condemned of any of the sayd of-
 fences by any of the wayes or meanes limited by the sayd statute, but
 there shalbe no corruption of blood, nor forfayte of lande or dower by
 reason of this felonie. *5. El. 14. S. Forging. &c. 4.*

27 **C** And for any persons to the number of xii. or aboue being as- *Unlawfull as-*
 sembled together, to intend, go about, practise, or put in vze with force *semble.*
 of armes vnlawfully, &c. to chaunge any lawes in force established for
 religion

Felonie.

religion by Parliament, or any other lawes, or statutes, or to doe any other act prohibited by the statute provided agaynst unlawfull and rebellious assemblies, &c. And being commaunded or required by the Shirife or Iustice of peace, &c. Maior, Bailife, &c. by proclamation in the Queenes name, to retire to their houses, &c. to remaine together by the space of an houre after such commandement by proclamation, or after in forcible and riotous maner to attempt, doe, or put in by, any of the things aforesaid, 1 P. 12. 1. Eliz. 16.

Rapling of unlawfull assemblies.

28 ¶ And for any person unlawfully &c. by ringing of any bells, sounding of any Trumpet, Drumme, Hoine or other instrument, or by ftering of any Beacon, malicious speaking of any wordes, making any outcrie, setting vp, or casting any bill or writing, or by any other deepe or act, to raise any persons to the number of xii. or aboue, to the intent the same persons should doe, committe, or put in by any of the actes aforesaide prohibited, &c. If the sayd persons so rayfed after request or commandement giuen as aforesayde, shall continue together as aforesayd, or unlawfully commit any of the things aforesayd, 1 P. 12. 1. Eliz. 16.

Relieving persons unlawfully assembled.

29 ¶ And for the wife or seruant of any of the same persons so assembled, & for any other person whatsoever, willingly to send, bring, deliuer, or conuey any money, harnesse, artillery, weapon, meate, bread, drinke, or other vitaille, to any person or persons so being assembled, during such time as they shalbe together. 1 P. 12. 1. El. 16.

El. persons unlawfully assembled.

30 ¶ And for any persons to the number of xl. or aboue, to assemble themselves in forcible maner unlawfully, to the intent to doe &c. any of the fozesayde things, or other felonious or rebellious actes, and to continue together by the space of thre houres after proclamation made, at or nigh the place where they be assembled, or in some market towne next adioyning, after notice thereof to them giuen, But there shalbe no corruption of blood by reason of any of these felonies, 1 P. 12. 1. El. 16. S. Riots. 16. 17. 18. 19. 31.

Slaunderous newes of the Queene.

31 ¶ And for any person which shall estones aduisedly and with a malicious intent, either of his owne imagination, or of the speaking or reporting of any other, speake or report any false, sedicious, and slaunderous newes, Rumors, sayings, or tales of our soueraigne Ladie the Queene that nowe is, being once lawfully convicted of any of the offences aforesaid. 25. El. 2. S. Newes. 5.

Slaumber of the Queene by booke, writing &c.

32 ¶ And for any person which either within the Queenes Dominions or without, which shall aduisedly, and with a malicious intent against our soueraigne Ladie, deuise and write, print, or set forth any Booke, Rime, Ballade, Letter, or writing contapning any false, sedicious

sedition and slanderous matter to the defamation of the Queene, or to the encouraging, stirring or moouing of any Insurrection or Rebellion within this Realme, or any the Dominions belonging to the same: Or shall aduisedly and with a malicious intent against our said soueraigne Ladie procure or cause any such Booke, writing, &c. to be written, printed, published, or set forth, and the same offence not being punishable by the statute made An. 25. Ed. 3. concerning Treason or declaration of Treason, or by any other statute whereby any offence is made or declared Treason. 23. El. 2. S. Newes. 6.

33 ¶ And for any person which during the life of the Queenes Maestie, either within her dominions or without, which shall by setting or erecting of any figure or figures, or by casting of Nativities, or by Calculation, or by any propherying, Witchcraft, Coniurations, or other like vnlawfull meanes whatsoeuer, seeke to know, and shall set forth by expresse wordes, deedes, or writings howe long her Maestie shall liue or continue, or who shall raigne as King or Queene of this Realme after her decease, Or shall aduisedly and with a malicious intent agaynst her Highnesse utter any direct prophecies to any such intent & purpose. Or shall maliciously by any wordes, writing, or printing wish, will, or desire the death or depriuation of the Queenes Maestie that nowe is, or any thing directly to the same effect. And to be Aydoz, procuroz and Abettoz to any of the sayd offences, is also Felonie. But no attainder of any person for any offence made felonie by this Act shalbe adiudged to make the offendoz to forsaite any landes, tenements, or hereditaments any longer then onely during his owne life, or to make any corruption of blood to any heire of any such offendoz, or to make the wife of any such offendoz to lose her dower or title of dower, of, or in any lands &c. or her Accion or interest to the same. 23. El. 2. S. Newes. 7.

Seeking to know how long the Queene shall liue or reigne.

Wishing the Queenes death or depriuation.

34 ¶ And for any person peruersly and maliciously to breake by or cut downe any part of new Powdike in Marshland, in the countie of Norffolke, or in the broken dike otherwise called olde field dike by Marshland in the Isle of Ely, in the Countie of Cambridge, or any other banke being parcell of the rynde, and uttermost part of the sayd countrey of Marshland made for the defence of the same countrey of Marshland, otherwise then in working vpon the sayde bankes, and dikes, for the repaire of the same. 22. H. 8. 11. 2. & 3. H. 8. 19.

Powdike.

35 ¶ And wilfull killing by poysoning of any person, is wilfull Poysoning, murder of malice prepenced. And the offendors, aydoz, abettoz, procuroz and counsailours shall suffer death and forsaite as in other cases of wilfull murder. 1. Ed. 6. 12.

Felonie.

Fresh suite.

36 ¶ Immediately after any felonies and robberies be committed, fresh suite shalbe made from towne to towne, and from countrey to countrey, and Enquestes shalbe taken (if neede bee) by him that is chiefe Loyde of the towne, and after in hundreds, franchise, and in the Countie, and sometime in ii. iii. or iii. Counties, in case where felonies be committed in the marches of Shires, so that offendours may be attainted and suffer punishment. And if the Countrey will not answer for the bodies of such offendours, the people dwelling in every such countrey shall answer for the robberies done and the damages, so that the whole hundred, where the robbery shall be done, with the franchises which be within the same hundreds, shall answer for the robberies done. And if the robbery be done in the division of two hundreds, then both the hundreds together with the franchises within the precinct of them shall answer, and the Countrey shall have no longer time after the robbery and felonie committed (but xl. dayes. 28. Ed. 3. 11.) within which they must agree, for the robbery and offence, or els they shalbe answerable for the bodies of the offendours, *Winchest. 13. Ed. 1. 1. 2.*

The countrey shall answer, if the robbers be not take within xl. dayes.

Every man shall pursue felons.

37 ¶ All men generally shall be readie at the commaundement, and summons of the Shirifes, and at the crie of the countrey, to pursue and arrest felons, when neede shall be, aswell within franchises as without, and they that will not, and thereof be attainted, shall make a grievous fine to the Queene, and if default be founde in the Loyde of the franchise, the Queene shall seise the franchise into her handes. And if default be in the Bailife, he shall be one peere imprisoned, and after make a grievous fine, and if he have not whereof, he shall have two peeres imprisonment. And if the Shirife, Coroner, or any Bailife within such franchise or without, for rewarde or intreatie, or for any affinitie doe conceale, consent, or procure to conceale the felonies done in their liberties, or otherwise will not attache or arrest such felons (where as they may) or otherwise will not doe their offices for the favour that they beare to such offendours, and be thereof attainted, they shalbe one peere imprisoned and make a grievous fine, And if they have not whereof to make fine, they shalbe thre peeres imprisoned. *Westm. 1. 3. Ed. 1. 9.* vpon all homicides, burglaries, men slaine or put in great danger, huy & cry shalbe leuied, and every man shall followe the huy and crie, and the offendours steppes, if it may be, and whosoever doeth not, and is thereupon convicted, shalbe attached to appeare before the Iustices of Gaole deliuerie. 3. Ed. 1. Officium Coronatoris.

Concealement or not attachment of felons.

Huy and cry.

Persons suspected of felonie.

38 ¶ If any man suspect such lewde persons as were in times past

past called (Roberdsmen, Maistours, or Drawlatches,) of any man-
slaugeters, felonies or robberies, be it by day or night, they shalbe in-
continently arrested by the Constable of the towne, and if it be with
in franchises, deliuered to the bailifes of the franchise, and if in Gild-
able, to the Sherifes, and kept untill the comming downe of Ju-
stices of gaole deliuerie, who shall proceede to the deliuerance of
them. 5. Edw. 3. 13.

39 ¶ If notorious felons which be openly known of euill fame,
will not put themselves vpon enquests of felonies which any man
doeth prosecute before the Justices at the Queenes suit, they shalbe
put in strait and hard prison, as those, which refuse the lawe of the
Realme, but this is not vnderstanded of pysoners, which be taken for
a light suspicion. West. 1. 3. Ed. 1. 12.

The punishment
of felons refus-
ing lawfull
triall.

1 That the keeper of a forest, parke, or warren may kil him which
commeth within his charge to do hurt, and wil not yeeld. S. Forest. 4.

2 That he which killeth a felon, which attempteth to rob him,
shal forfait nothing. S. Forfaiture. 1.

3 That the Justices may award a writte of restitution of stollen
goods vpon the attainder of a felon. S. Restitution. 1.

4 That the Queene shal haue felons goods, and Annum, diem, &
vastum, in their lands, S. Prerogatiue. 16.

5 That the Justices of the Kings Bench, may remaund any mur-
derer or felon, and his indictment to be tried in the countrey, S. Re-
mouer. 2.

6 That the goods of him which is imprisoned for felony shall
not be seised, before he be attainted thereof. S. Sherifes. 26.

7 That an abiured person committing felony shall lose the pri-
uiledge of Sanctuarie. S. Sanctuarie. 9.

Felants, Partridges.

¶ If any person doe take or cause to be taken any felants or partridges
by nets, snares or other engins, out of his owne warren, vpon the
freehold of an other person, without the assent and speciall licence of
the owner or possessor of the same, he shall forfeit. x. pound to the owner of
the ground, and the 3. to be recovered by A. B. &c. 11. H. 7. 17.

2 ¶ No person shall take, kill, or destroy any felant or partridges
with any manner of nettes, snares, ginnes, enginnes, rowsting, lowf-
sing or other deuises whatsoever in the night time, vpon payne of
forfaiture for euery felant so taken, killed or destroyed, contrary to
the true meaning of this Acte xx. shillings, and for euery partridge
x. shillings. The which saide penalties if euery person so offending,

Killing of Fel-
ants or Para-
tridges in the
night.

Fesants, Partridges.

doe not paye within tenne dayes next after his or their condiction, then to haue one monethes imprisonment without bayle or maynprie. And further ouer and beside such forfeiture or imprisonment to put in bonde with good suerties for the space of two yeres, that he shall not take, kill or destroy, any partridges or fesants, contrary to the true meaning of this Acte, the same bonde to bee taken by some Justice of the Peace of the Countie where the sayd office shall be committed, The one halfe of all which sayd seuerall forfeitures to be to the chiefe Lord, or lordes of the Liberties, Lordshippes or Manors, vpon and in which the same shalbe so taken, killed or destroyed, and the other moytie to such person or persons as will sue for the same in any her Maiesties Courtes of Recorde, by B. P. or J. Wherein no W. C. P. 23. El. 10.

A remedie,
where the lord
doeth dispence
with the for-
feiture, or giue
licence to offend.

3 **¶** Provided alwayes, that if such person, to whom the one halfe of the sayd forfeiture is appointed for the taking, killing or destroying of partridges and fesantes, contrarie to the tenour of this Acte, shall dispence with, licence, or procure any taking, killing or destroying of any partridges or fesantes, contrarie to the forme of this Acte: Then all such forfeitures and penalties, as such person or persons should haue by vertue of this Acte, shalbe to the poore of the Parishes where such taking, killing or destroying shalbe committed: And that to be leued or recouered in maner and forme aforesayd, by any one of the Churchwardens of the parish where the offence shalbe committed, 23. El. 10.

Hawking in
eared or codd-
ed coyne.

4 **¶** No person or persons shall haue, or with his Spaniels hunt in any ground where coyne or other grayne shall then growe, (except it bee in his owne ground) at such time as any eared or codd-ed coyne or graine shall be standing and growing vpon the same, nor before such time, as such coyne and graine shalbe shocked, cocked, hiled, or copped, vpon paine of forfeiture for euery time, that hee shall so hawke or hunt as aforesaide, (without the consent of the owner of the coyne or graine) to such person or persons as shalbe owner of the sayde eared or codd-ed coyne or graine xl. shillings, and the same to bee leued and recouered in maner and forme aforesayde, 23. El. 10.

5 **¶** Provided alwayes, that this Acte shall not in any wise extende to Lowbellers, Traniellers or others, which shall vndel-linglie happen to take any Partridges or Fesantes by night vnder any Traniell, Lowbell, Roadnette, or other Engine, So as they and euery of them doe presently loose and let goe euery Fesant and Partridge so taken, and suffer them presently to flye and goe at large

large at the place where they shall happen so to bee taken, without willingly killing, or wilfully hurting any such fasant or partridge, so taken in any manner of sort, Any thing in this Acte &c. notwithstand-
 ding. 23. El. 10, S. Iustices of peace, 38.

Taking par-
tridges or fa-
sants and let-
ting them goe
again.

Fifteenes.

All foireines, hauing landes, or teneimentes, goods, or cattels within any Townes at the daye of the graunt of any disme, fifteene, or other rate, although they leade away their beastes, or carry away their goods and cattels out of the same towne after the day of the sayde graunt, yet euery of them shalbe contributorie with the inhabitants of such townes, to such disme, fifteene or rate, and the collectors of the same disme, fifteene or rate for the time being, within such townes haue power by authoritie of their office, to take and asseste such foireins according to the quantitie of their goods, cattels and possessions, being in the sayde Townes at the day of the graunt of the sayd dismes, fifteene or rate, and for the same summes whereto they bee assessed or taxed, to distraine in euery place within the sayde Countie, aswell before the Queene bee answered of y whole summes that attaine to the sayd townes, as after. But no man nor woman shal be twice charged for any such beastes, goods, or cattels in any wyle by occasion thereof. 9. H. 4. 7.

Cattel charges
able to the ry.
where they bee
the time of the
same graunted

Fighting, Quareling.

If any person shall maliciously strike any other person, whereby bloud shalbe shed, in any of the Queenes houses or Palaces, or in any other house, where the Queenes maiestie, her heires, &c. shalbee at that time abiding in her royall person, or within any edifices, courts, places, gardeins, orchards, or houses within the porters ward of any of the houses aboue rehearsed, or within any gardeins, priuie walks, orchards, tilleyards, woodyards, Tennis playes, Cocke fights, Bowling allies neere adioyning to any of the sayde houses, and being part of the same, or within two hundred foote of the standard of any outward gate or gates of any of the said houses, commonly vled for passage from any of the houses &c. and shalbe thereof indicted, arraigned, and attainted according to the statute in that case prouided, hee shall haue his right hand striken off, be imprisoned during his life, & make fine to the Queene at her pleasure, But this acte, nor the paynes and forfeitures before rehearsed, shall not extende to any noble man or other person that shall strike his seruauent within the said palaces or houses, or the limittes of the same, with his hand or fist or any small

Drawing of
blood within
the Queenes
palace.

Fighting, Quareling.

Staffe or sticke, for correction for any offence committed, nor to any of the Queenes officers that in executing his office, shall strike any person with his hande, fist or small staffe, sticke or tipstaffe, nor to any other person, that in doing service at any triumphe, or any other time of service, by the Queenes, any of her counsell, or other her head officers commaundement, shall for the executing of his said service, strike any person with his hande, fist, small staffe, or sticke or any tipstaffe, within the same palace, house &c. although by reason of the same stroke or strokes there happen to be any bloudshed of such person as shalbe so stricken, except the person so stricken die at the same stroke within one yeere next after, 33. H. 8. 12. How the offender in this case shall bee indicted, and tried, S. Trial. 4. 5. 6.

Chiding in the
Church or
Churchparde.

2 ¶ If any person whatsoever, do by wordes onely, quarel, chide or bvaule in any Church or Churchparde, then it shalbe lawfull to the ordinarie of the place where the offence is done and proved by two lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, & being a Clerke, from the ministracion of his office, so long as hee thinketh meete, according to the fault. 5. Ed. 6. 4.

Smiting in
Church or
Churchparde.

3 ¶ Whosoever shall smite, or lay violent handes vpon an other, in any Church or Churchparde, shalbee deemed ipso facto excommunicat, and excluded from the felowship and companie of Christs congregation. 5. Ed. 6. 4.

Drawing or
smiting with a
weapon in a
Church or
churchparde.

4 ¶ If any person shall maliciously strike any person with any weapon, in any Church or Churchparde, or shall draw any weapon, in any Church or Churchparde, to the intent to strike another with the same: then every person so offending, and thereof being convicted by verdict of xii. men or by his owne confession, or by two lawfull witnesses before the Iustices of assise, Iustices of oyer and determiner, or Iustices of peace in their sessions, shalbe adiudged by the same Iustices, before whome such person shalbe convicted, to haue one of his eares cutte off. And if the person or persons so offending, haue none eares, whereby they should receiue such punishment as is before declared, then he or they to bee marked and burned in the cheeke with an hot yron, hauing the letter (F) whereby he or they may bee knownen and taken for fray makers and fighters, and besides that every such person to be and stand, ipso facto, excommunicated as is aforesaide. 5. & 6. Ed. 6. 4.

Assaults vpon
them which
come to the
Parliament.

5 ¶ If any assault or fray bee made vpon any Lorde spirituall, or temporall, knighe of the shire, Citizen, or Burgesse, come to the Parliament, or to the Queenes counsell by her commaundement, and there being & attending, then proclamation shalbe made in the most open

open place of the towne by three seuerall dayes, where the affray was made, that the partie that made such affray or assault shall peeld himselfe in the Kinges bench within a quarter of a yeere next after the proclamation made, if it be in the terme time, or otherwise at the first day of the terme following the said quarter. And if he doe not, he shalbe attainted of the said deepe, and pay to the partie greued his double damages to be taxed by the discretion of the Iustices of the same bench, or by enquest, if it be needefull, and shall make fine and raunsome at the Queenes pleasure, And if he come and be found guiltie by enquest, by examination or other wise of such affray or assault, then he shall pay to the partie greued his double damages found by the enquest, or to be taxed by the discretion of the said Iustices, and make fine and raunsome at the Queenes pleasure, 11. Hen. 6. 11. The like punishment shall he haue which maketh assault or fray in the Parliament time by any mensall seruant of any Knight of the Parliament, or of which doth come to the Parliament with his master. 5. Hen. 4. 6.

Fines.

As well the parties plaintifes or demandants, as the tenants and defendants, which will knowledge or peeld their right or tenements to others in pleas of Warrantia charte, Couenaunt, and other like, whereupon fines are to be leuied, shall come personally before the Iustices of the Common place, before the same fines bee leuied, that their age, Idiocie, or other defect (if there be any) may be discerned and iudged by them, but if any man which is olde, decrepit, or impotent by any casualtie, bee so oppressed or detained, that hee is not by any meanes able to come before the sayde Iustices, Then two or one of the sayde Iustices by the assent of the whole bench, shall goe vnto him which is so diseased, and shall receiue his cognisaunce, by the plea or forme of plea, which hee hath in the Queenes court, whereupon the saide fine ought to bee leuied, and if there goe but one, he shall take with him an Abbot, a Prior, or a Knight, being a man of credit and good name, and shall certifie the Iustices of the common place thereof by their record, So that all thinges incident to the fine being by him or them well examined, the same fines may be duely leuied. Carleil. 15. Ed. 2.

The commo-
the fine shall
come perso-
nally before
the Iustices.

A fine take by
debtinus pro
testatem.

2 The order of the lawe will not permit a finall accord to bee leuied in the Queenes court, without an originall writ, and that must bee at the least before foure Iustices of the bench, or in Eire, and not otherwise, and in presence of the parties named in the writ, which be of full age, good memorie, and out of prison. And if a woman which is

A fine can not
be lentid with-
out an original
writ.

Fines.

**A fine leuied
by a woman
couert.**

**A fine pro-
claimed.**

**Who shalbe
concluded by
a fine and who
not.**

**Euery stran-
gers right sa-
ued which he
willeth p hath.**

**The right of
strangers sa-
ued which shal
come to them.**

**Action main-
tainable as
gainst perniour
of the profits.**

**The right of
Infants, wo-
men couert,
persons mis-
prisoned, out
of this land,
and not of
whole mind,
saued.**

couert baron, be one of the parties, then it behoueth that thee be first examined before the said iiii. Iustices, and if the doe not assent to the fine, it shall not be leuied, stat. de finibus. 18. Ed. 1.

3 ¶ After the ingrossing of euery fine to be leuied in the Queenes court, before her Iustices of the common pleas, of any landes, tenements or other hereditaments, the same fine shalbe openly and solemnply read and proclaymed in the same court the same terme, and in thre termes then next following the same ingrossing in the same Court, at iiii. seuerall dayes in euery terme, and in the same time that it is so read and proclaymed, all pleas shall cesse. 1. R. 3. 7. 4. H. 7. 24.

4 ¶ And the said proclamations so had and made, the said fine shal be a finall end, and conclude aswell priuies as straungers to the same, except women couert (other then bene parties to the saide fine) and euery person then being within age of xxi. yerres, in prison, or out of this Realme, or not of whole minde at the time of the said fine leuied, nor partie to such fines. 1. R. 3. 7. 4. H. 7. 24.

5 ¶ Sauing to euery person or persons, and to their heires (other then the parties in the said fine) such right, claime, and interest, as they haue, to, or in the said land, tenements or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime or interest by way of accion or lawfull entrie, within five yerres next after the sayde proclamations had and made. 1. R. 3. 7. 4. H. 7. 24.

6 ¶ And sauing to all other persons, such accion, right, title, claime, and interest, in, or to the saide lands, tenements, or other hereditaments, as first shall growe, remaine or discend, or come to them after the sayde fine ingrossed, and proclamation made by force of any gift in the taile, or by any other cause or matter had and made, before the said fine leuied, so that they take their accion, or pursue their sayde right and title according to the lawe within five yerres next after such accion, right, title, claime, or interest to them accrued, discended, remained, fallen or come. And the saide persons and their heires may haue their saide action against the perniour of the profits of the saide lands and tenements and other hereditaments, time of the said accion to be taken. 1. R. 3. 7. 4. H. 7. 24.

7 ¶ And if the same persons, at the time of such action, right, and title, accrued, descended, remained, or come vnto them, be couert baron, or within age, in prison, or out of this land, or not of whole mind, then their accion, right, and title shalbe reserued, and saued to them, and to their heires, vnto the time they come and bee at their full age of xxi. yerres, out of prison, within this land, vnconuert, and of whole minde, so that they or their heires take their sayde actions, or their lawfull

lawfull entrie, according to their right and title, within five yeeres next after that they come and be at their full age, out of prison, within this land, vncouert, and of whole minde, and the same accions pursue, or other lawfull entrie take, according to the lawe. But all such persons as be couert baron, not party to the fine, and euery person being within age, in prison, or out of this lande, or not of whole minde at the time of the said fines leuied, and ingrossed, hauing any right or title, or cause of accion to any of the said lands and other hereditaments, they or their heires inheritable to the same, shall take their saide accions, or lawfull entrie according to their right and title, within v. yeeres next after they come and bee of full age of xxi. yeeres, out of prison, vncouert, within this land, and of whole minde, and the same accions sue, or their lawfull entrie take and pursue according to the lawe. And if they doe not take their accions & entrie as is aforesaid, they and euery of them, and their heires, and the heires of euery of them, shalbe concluded by the saide fines for euer in like forme as they bene, that bene parties or priuies to the said fines. 1. R. 3. 7. 4. D. 7. 24.

8 ¶ Sauing to euery person and persons not party nor priuie to the said fine, their exception, to auoyde the saide fine, by that, that those that were parties to the fine, nor any of them, nor no persō nor persons to their vse, ne to the vse of any of them, had nothing in the landes and tenements comprised in the said fine, at the time of the sayd fine leuied.

Exceptiō that the parties to the fine had nothing in the land.

4. D. 7. 24.

9 ¶ An. 1. R. 3. 7. it is enacted, that a transcript of the same fine shalbe sent by the saide Just. of the common ples, to the Just. of assise of the countie where the said lands & tenements bee, they to cause the said fine to be read & proclaimed openly, and solempnly in euery their sessions of assise, to be holden the same yeere, if assises doe then hold, and all the pleas in the meane time to cease, Also a like transcript of the same fine shalbe sent to the Just. of peace of the countie where the said lands and tenements be, they to cause open and solempne proclamation of the said fine to bee made at foure seuerall sessions of the peace to be holden the same yeere, The said Iustices of assises, and also Iustices of peace to certifie the same proclamation to the Queenes Iustices of the common ples, at the second day of retorne of the terme then next folowing. Quere for the vse hereof.

A fine proclaimed at the generall assises and quarter sessions.

Quere.

10 ¶ Euery fine that shalbe leuied in any of the Queenes courtes of any manors, landes, tenements, or other possessions after the manner, vse, and forme that fines haue bene leuied before the making of these actes, be of like force, effect, and authoritie, as fines so leuied be, or were before the making of these Actes, and euery person shalbe

Fines at the common lawe be of the same force they were.

Fines may be leuied according to the common lawe, or either of these statutes.

Proclamations not made by the adiournment of any terme.

Fines leuied before the Iustices of assise at Lancaster.

Fines leuied before the Iustices of assise at Durham.

at his libertie to leuie any fine after his pleasure, whether hee will after the forme contained and ordeined in, and by these Actes or any of them, or after the maner and forme beforesaid vsed. 4. Hen. 7. 24. 1. R. 3. 7.

I I ¶ All fines aswell heretofore leuied, as hereafter to bee leuied before the Iustices of the common pless, of any manors, landes, tenementes, or other hereditamentes, whereupon the proclamations haue not, or shall not by reason of adiournment of any terme by writte be dueely made, shalbe of as good force, effect and strength to all intentes, constructions, and purposes, as if any terme heretofore adiourned, or that at any time hereafter shalbe so adiourned, had bene holden & kept, from the beginning to the ende thereof not adiourned, and proclamations therein made, according to the forme and effect of the said statute of 4. H. 7. 1. M. 1. parl. 7.

I 2 ¶ All fines which shalbe leuied before the Iustices of Assises at Lancaster, or before one of them, of any Landes, tenementes, or other hereditamentes lying within the Countie Palantine of Lancaster, which shalbe openly read, and proclaimed three seuerall dayes in the open sessions in the presence of the Iustices of assise at Lancaster, or of one of them, at the same sessions, that the same fine shalbe ingrossed, and also at the two next generall sessions, that shalbe holden in the said countie before the Iustices of assise of the same countie, or before one of them, next after the leuying or ingrossing of such sayd fine, at iii. seuerall dayes in either of the sayde two sessions, after such maner & forme, as is commonly vsed in the common place at Westminster, shalbe of like force to all intents, as fines being dueely leuied with proclamations before the Iustices of her common pless bee or ought to bee of. 37. H. 8. 19. And all and singular fines which at any time hereafter shalbe leuied or knowledged before the Iustice or Iustices of the countie Palantine of Durham for the time being authorized for that purpose and cause, of any landes, tenementes or other hereditamentes, lying or being within the sayde Countie Palantine of Durham, which shalbe openly reade and proclaimed two seuerall dayes in the open Sessions in the presence of the Iustices of Assise at Durham, or one of them for the time being at the same Sessions, that the same fine shall fortune to bee ingrossed, and also that shalbe openly read and proclaimed in the presence of the Iustices of Assises at Durham or one of them for the time being, at the two next general Sessions that shalbe holden in the countie Palantine of Durham before the Iustices of the same County, commonly called Iustices of Assises at Durham, or one of them, next after the leuying

or ingrossing of such sayde fine, shalbe of like, any of the same force, strength and effect in the lawe to all intentes, constructions and purposes, as fines being duly leuyed with proclamations before the Queenes Justices of her common pleas at Westm. bee or ought to be. 5. El. 27.

13. **F**ines which shalbe leuyed before the high Justice of the Countie Palantine of Chester, or before the Deputie or Lieutenant Justice there for the time being, of any landes, tenements, or other hereditaments lying within the sayde Countie Palantine of Chester, which shall bee openly read and proclaimed iii. seuerall dayes in the open session, in the presence of the Justice of the sayde County Palantine, or before the deputie or lieutenant Justice there, at the same sessions that the same fine shalbe ingrossed, and also at the two next generall sessions that shalbe holden in the sayd county, next after the leuying and ingrossing of such fine at iii. seuerall dayes in either of the said two sessions, after such maner & forme, as is commonly vled in the common place at Westminster, shalbe of like force to all intents, as fines being duly leuyed with proclamations before the Queenes Justices of her common pleas be or ought to be of. 2. Ed. 6. 28.

Fines leuyed before the high Justice at Chester of lands in Cheshire.

14. **A**ll and singular fines aswell heretofore leuyed, as hereafter to bee leuyed before the Justices of the common pleas, with proclamations according to the foresaide Stat. made 4. H. 7. by any person or persons of full age of xxi. yeeres, of any manors, landes, tenements or other hereditaments, before the time of the same fine leuyed, in any wise entailed to the person or persons so leuying the same fine, or to any the ancestoz or ancestozs of the same person or persons in possession, reuerfion, remainder, or in vse, shall be immediately after the same fine leuyed, ingrossed, & proclamations made, adiudged, & taken to all intents, a sufficient barre and discharge for euer, against the same person and persons, and their heires, claiming the same landes, tenements and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons claiming the same, or any parcell thereof onely to their vse, or to the vse of any maner of heire of the bodies of them. 32. H. 8. 36.

A fine leuyed by tenant in capite, shalbe a barre to the heire of his body.

15. **B**ut this act shall not extend to barre the lawfull entry, title, or interest of any heires or persons, giuen or accrued to any of them, in or to any manors, landes, tenements or hereditaments, by reason of any fine leuyed by any woman after the death of her husband, contrary to the forme, intent and effect of the statute made. 11. H. 7. 20. of any manors, landes, tenements and hereditaments, of the inheritance or purchase of the saide husband, or of any his ancestozs, giuen

Fine leuyed by the wife of the inheritance of her late husband.

Fines.

or assigned to any such woman in dower, for terme of life or in talle, in vse or in possession. But the same Acte made 11.H.7. shall remaine in full strength, in euery clause therein contained, as though this act had not bene made, 32.H.8.36.S. Woman, 1.

*A fine leuied
by him which
is restrained
by parliament*

16 Neither shall this act extende to any fine heretofore leuied, or hereafter to bee leuied of any Lordshippes, manors, landes, tenements or other hereditaments, the possessioners & owners whereof, by reason of any expresse words contained in any especiall act or actes of parliament made sithence. 4.H.7. be bounden or restrained from making any Alienations, discontinuances, or other alterations of any of the same manors, landes &c. contained in the sayde fine. But euery such fine shall bee of such like force & strength in the lawe, and of none other effect, then the same shoulde haue bene, if this Acte had neuer bene made. 32.H.8.36.

*Fines of lads
whereof the
reuerſion is in
the Queene.*

17 Neither shall this Acte extende to any fine leuied by any person of any manors, landes, tenementes, or hereditaments before the time of the leuying of the same fyne giuen, graunted or assigned to the sayde person, or to any of his auncestors in the sayle, by vertue of any letters patents of King H.8. or of any of his progenitors, or by vertue of any act or actes of parliament, the reuerſion whereof at the tyme of the same fine leuied being in the Queene, her heires, or succelloys, But euery such fine shall bee of like force and effect as they were or shoulde haue bene, if this act had not bene made, 32.H.8.36.

*Exceptio that
the demandant
&c. was al-
wayes seised.*

18 No exception, anſwere, or inquisition of the Countrey shall bee admitted by any persons being parties to any fines, or by their heires to auoyde and defeate such fines, in alleadging that before the fine leuied, at the leuying thereof, and since the fine leuied the demandants or plaintifes or their auncestors were alwayes seised of the land contained in the fine, or of some parcell thereof. Stat. de Finibus. 27. Ed. 1.1.

*Enrolment of
fines and res-
coueries.*

19 Every writ of couenant & other writ, whereupon any fine heretofore hath bene leuied, or hereafter shall bee leuied, the retorne thereof, the writ of Dedimus potestatem, made for þ knowledging of any of the same fines, the retorne therof, the concord, note and foote of euery such fine, the proclamations made thereupon, & the Kinges silver. And also euery originall writ of Entrie in the post, or other writ, whereupon any common recouery hath bene suffered, or hereafter shalbe suffered or passed, the writtes of Sum. ad warrantizand, the retournes of the sayd originals & writs of Sum. ad warrantizand, & euery warrant of Atturney, had or to be had, aswell of euery demandant and tenant as vouchee extant & remaining, or þ shalbe extant & in being, may

Fines.

may vpon the request or election of any person be inrolled in roiles of parchment by such persons, and for such considerations as hereafter in this Act shalbe mencioned, and the inrolments of the same, or of any part thereof, shalbe of as good force and validitie in lawe to all intents, for so much of any of them so inrouled, as the same being extant and remapning were or ought by lawe to be. 23. Eli. 3.

20 **C** No fine, proclamations vpon fines, or common recovery heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shalbe reuerled or reuerlable by any writ of error, for false, or incongrue laccin, rasure, enterlyning, misentring of any warrant of Attourney, or of any proclamation, misreturning or not returning of the Sherife, or other want of forme in wordes, and not in matter of substance. 23. Eli. 3.

For what errors, fines, & recoveries are not reuerlable.

21 **C** Prouided alwayes, that this Acte nor any thing therein containeb, shall barre or exclude any person, or persons, from any writ of error, which shalbe had, taken or pursued, within five yerres next after the end of the Session of this present parliament, vpon any fine or recovery heretofore had or suffered. Nor from any writ of error which shalbe had, taken, or pursued, vpon any fine or recoverie, heretofore leuied, knowledged, or had, which fine or fines, recovery or recoveries, or any part or parcell of them, or any of them, nowe is, or at any time before the first day of Iune, which shalbe in An. Do. 1581. shalbe exemplified vnder the great Seale of England, at and by the suite of any person, that is, or may be entituled to haue or sue any writ of error vpon any fine or recoveries heretofore passed. Nor to beare any femme couert, or any person within the age of xxi. yeeres, or any person that is non Compos mentis, in prison, or beyond the Seas of or from any writ of error to be had or prosecuted, for the reuersing of any fyne or recovery heretofore passed, leuied or suffered, so that such femme couert, or her heires, within seven yeeres next after that she become sole, and such person within the age of xxi. yerres, or his heires, within seven yeeres next after he shal come and be of full age of xxi. yerres. And such person that is non Compos mentis within seven yeeres next after he shall become of safe memory, and in default thereof, the heires of such person that is non Compos mentis within seven yerres after the death of such person being non Compos mentis. And such person in prison or his heires, within seven yerres next after the same person shalbe at libertie. And such person beyond the Seas or his heires, within seven yerres next after the returne of such person, into this Realme of England, or the death of the said person, if he shall before his returne, dye in any forreyn countrey, shall sue, take and prosecute, their writtes of error,

In what cases, and what persons may haue writtes of error to reuerle fines.

Fines.

as their cases severally shall require, for reuerling of any the sayd fines or recoveries, heretofore passed, leuied or suffered. 23. El. 3.

A remedie for
the heire,
where the an-
cestor dieth
hanging the
suit.

22 **¶** Provided alwayes, that if any person or persons, shall within the time and yeeres afoze mentioned, commence or sue his or their wittes of errour, for the reuerling of any the sayde fynes or Recoveries heretofore passed, which suite shall fortune to abate by the death of any the parties to the same, Then it shall and may be lawfull for his and their heires, at any time within one yeere next after the said seven yeeres expired, to haue, sue, and take their witte of error, for the reuerling of euery such fine, and recovery. And if such heire be an Infant, within the age of xxi. yerres, then with in one yeere next after the full age of such Infant. Any thing in this act &c. notwithstanding. 23. El. 3.

The day and
yeere of the
knowledge of
a fine, or war-
rant of Attur-
ney, for a reco-
uerie, shall be
certified,

23 **¶** Every person that shall at any time hereafter take the knowledge of any fine or warrant of attorney, of any tenant or bond-
chee, for suffering any common recovery, or shall certifie them or any of them, shall with the certificat of the concord or warrant of Attur-
ney, certifie also the day and yere wherein the same was knowledged. And no person that taketh any such knowledge of any fine or war-
rant for any recovery, shall be bounden, or by any meanes enforced, to certifie any such knowledge, or warrant, except it be within one yeere next after the sayde knowledge taken. And no Clarke or offi-
cer shall receiue any witte of covenant, or writ of entrie, whereupon any fine or common recovery is hereafter to passe, vnlesse the day of the knowledge of the same fyne and warrant shall appeare, in or by such certificat, vpon payne that euery Clerke that shall receiue any such witte, shal forfeite for euery time that he shal so offende. v. pound. And that no Attournement in or vpon any fine, be entred vpon record, except the partie mencioned to attorne therein, first haue appeared in the court in person, or by Attorney warranted by the hand of one of the Iustices of the one Bench or the other, or of one Iustice of Assise, vpon a writ of Quid iuris clam at, quem redditum reddit, or per quæ seruicia, as the case requireth: And euery Entrie of Attournement here-
after to be made, where there shalbe no apparance, as afoze is sayd, shall be utterly voyde, and of none effect, without any writ of error, or other meanes to be vsed for auoyding thereof. 23. El. 3.

Attournement.

The office of
Inroulements.

24 **¶** There shalbe for euer one office for the inroulement afoze said, which shalbe and conti nue an office for euer, called the office of inrou-
lements of wittes for fines and recoveries. And the Iustices of the common pless for the time being (other then the chiefe Iustice) shall haue and take the care and charge of and for the inroulements afoze
sayde,

sayde, and shall haue and enioye the sayde office and the disposition thereof, and carefully see and looke to the execution thereof: and in consideration of their charges, paine and trauaile therein, shall haue and take the summes of money hereafter following, and no moze. That is to say, for the inroulment and examination of euery fine, and the parties thereof befoze mencioned, the summe of sixe shillings viii. d. And for the inroulment of the sayde partes of euery recouerie, and the examination thereof sixe shillings eyght pence. And for euery exemplification of the inroulment of any fine v. s. And for the exemplification and returnes of euery writte of Entrie, summons and warrantizands and warrantes siue shillings. And for the search of the roules of one perc iiii. d. And for the copie of one sheet of paper containing xiiii. lines iiii. d. And the saide Iustices or one of them, shall examine the inroulements of euery such fine, and partes of recoueries, and forthwith after examination thereof, and immediatly after the Inroulment of euery such fine and partes of recoueries, write his name that so examineth, with his owne hand in the Rolle thereof vpon paine that the sayde Iustices shal forf. to the D. b. li. for euery time that they, or some one of them shall make default of such examination, or writing of his or their name, as afoze is sayde. And it shall and may be lawfull to and for the Iustices of the said court or common ples, from time to time, to take order in all thinges that shall be conuenient, and needful for the inroulements afoze sayde. And vpon examination in the sayde court to aslesse such fine or amerciament, vpon any Clerke, Sherife, Deputie, Atturney, and other person for his and their mispyllion, contempt & negligence, for not doing, or misdoing in any thing, of, in or concerning the sayde fynes and recoueries, or any part of them or either of them, as by the sayde Iustices of the sayde court of common ples for the time being, shall bee thought meete and conuenient, The sayd fine and amerciament to be estreited amongst other fines and amerciamentes of that court, where such offence or mispyllion shall bee committed.

Fees for the inroulment of fines and recoueries.

Assessing of fines for mispyllion, contempt, or negligence.

23. Cl. 3.

25. **T**he Chirographer of fines of the common ples for the time being, for euer shall write and make, or cause to bee written and made for euery countie, where her Maiesties writte runneth, one Table, wherein shall bee contained such contents of euery fine, that shall passe in any one Terme, as hereafter is mencioned, that is to say, the name of the Countie, wherein the tenements mencioned in any fine, be, the name of euery plaintife and deforciant, and of euery man or named in the fine, if any such bee, and of the Townes and places where the tenements in such fine comprised, doe lie. And the first day of

A table containing the content of euery fine, shall bee set up in the common place, and at the general assises.

Fines.

as their cases severally shall require, for reuerſing of any the ſayd fines or recoveries, heretofore paſſed, leuyed or ſuffered. 23. El. 3.

A remedie for
the heire,
where the an-
ceſter dieth
hanging the
ſuit.

22 ¶ Provided alwayes, that if any perſon or perſons, ſhall within the time and yeeres afore mentioned, commence or ſue his or their writtes of error, for the reuerſing of any the ſayde fines or Recoveries heretofore paſſed, which ſuite ſhall fortune to abate by the death of any the parties to the ſame, Then it ſhall and may be lawfull for his and their heires, at any time within one yeere next after the ſaid ſeven yeeres expired, to haue, ſue, and take their writte of error, for the reuerſing of euery ſuch fine, and recovery. And if ſuch heire be an Infant, within the age of xxi. yerres, then within one yeere next after the full age of ſuch Infant. Any thing in this act &c. not withſtanding. 23. El. 3.

The day and
yeere of the
knowledge of
a fine, or war-
rant of Attur-
ney, for a reco-
uerie, ſhall be
certified,

23 ¶ Every perſon that ſhall at any time hereafter take the knowledge of any fine or warrant of atturney, of any tenant or bouchee, for ſuffering any common recovery, or ſhall certiſie them or any of them, ſhall with the certificat of the concord or warrant of Atturney, certiſie alſo the day and yeere wherein the ſame was knowledgeed. And no perſon that taketh any ſuch knowledge of any fine or warrant for any recovery, ſhall be bounden, or by any meanes enforced, to certiſie any ſuch knowledge, or warrant, except it be within one yeere next after the ſayde knowledge taken. And no Clarke or officer ſhall receiue any writte of couenant, or writ of entrie, whereupon any fine or common recovery is hereafter to paſſe, vnleſſe the day of the knowledge of the ſame fine and warrant ſhall appeare, in or by ſuch certificat, vpon payne that euery Clerke that ſhall receiue any ſuch writte, ſhal forfeite for euery time that he ſhal ſo offende. v. pound. And that no Attournement in or vpon any fine, be entred vpon record, except the partie mentioned to atturne therein, firſt haue appeared in the court in perſon, or by Atturney warranted by the hand of one of the Juſtices of the one Bench or the other, or of one Juſtice of Aſſiſe, vpon a writ of Quid iuris clamat, quem redditum reddit, or per quæ ſeruicia, as the caſe requireth: And euery Entrie of Attournement hereafter to be made, where there ſhalbe no apparance, as afore is ſayd, ſhall be utterly voyde, and of none effect, without any writ of error, or other meanes to be vſed for auoyding thereof. 23. El. 3.

Attournement.

The office of
Inroulements.

24 ¶ There ſhalbe for euer one office for the inroulement aforeſaid, which ſhalbe and continue an office for euer, called the office of inroulements of writtes for fines and recoveries. And the Juſtices of the common pless for the time being (other then the chiefe Juſtice) ſhall haue and take the care and charge of and for the inroulements aforeſayde,

sayde, and shall haue and enioye the sayde office and the disposition thereof, and carefully see and looke to the execution thereof: and in consideration of their charges, paine and trauaile therein, shall haue and take the summes of money hereafter following, and no more. That is to say, for the inroulment and examination of euery fine, and the parties thereof before mencioned, the summe of sixe shillings viii. d. And for the inroulment of the sayde partes of euery recouerie, and the examination thereof sixe shillings eyght pence. And for euery exemplification of the inroulment of any fine v. s. And for the exemplification and returnes of euery writte of Entrie, summons and warrantizands and warrantes five shillings. And for the search of the roules of one pere iii. d. And for the copie of one sheet of paper containing xliii. lines iii. d. And the saide Iustices or one of them, shall examine the inroulements of euery such fine, and partes of recoueries, and forthwith after examination thereof, and immediatly after the Inroulment of euery such fine and partes of recoueries, write his name that so examineth, with his owne hand in the Rolle thereof vpon paine that the sayde Iustices shal for. to the D. v. li. for euery time that they, or some one of them shall make default of such examination, or writing of his or their name, as afoze is sayde. And it shall and may be lawfull to and for the Iustices of the said court or common ples, from time to time, to take order in all thinges that shall be conuenient, and needful for the inroulements afoze sayde. And vpon examination in the sayde court to assesse such fine or amerciament, vpon any Clerke, Sherife, Deputie, Atturney, and other person for his and their misprision, contempt & negligence, for not doing, or misdoing in any thing, of, in or concerning the sayde fines and recoueries, or any part of them or either of them, as by the sayde Iustices of the sayde court of common ples for the time being, shall bee thought meete and conuenient, The sayd fine and amerciament to be estreited amongst other fines and amerciaments of that court, where such offence or misprision shall bee committed.

Fees for inroulment of fines and recoueries.

Assessing of fines for misprision, contempt, or negligence.

23. Cl. 3.

25 The Chirographer of fines of the common ples for the time being, for euer shall write and make, or cause to bee written and made for euery countie, where her Maesties writte runneth, one Table, wherein shall bee contained such contents of euery fine, that shall passe in any one Terme, as hereafter is mencioned, that is to say, the name of the Countie, wherein the tenements mencioned in any fine, be, the name of euery plaintife and deforciant, and of euery man or named in the fine, if any such bee, and of the Townes and places where the tenements in such fine comprised, doe lie. And the first day of

A table containing the content of euery fine, shall bee set up in the common place, and at the general assizes.

Fines.

of the next terme after the ingrossing of euery such fine, shall fixe euery of the sayde tables, vpon some open place of the court of common pless, and so euery day of the sayde terme during the time of sitting of the sayd court, And the sayde Chirographer shall deliuer to euery Sherife of euery countie, his Undersherife or deputie, saire written in parchment, a perfect content of the table, so to be made for that Shire, in the terme that shall bee next before the Assises bee holden in the sayde Countie, or els meane betweene that terme and the sayde Assises. And euery such Sherife to whome such parchments with the contents aforesayde, shall bee deliuered, the first day of the next assises after the deliuerie thereof vnto him, and euery day during the sayde assises, shall fixe and set by the same writing vndeaced in some open place in the court where the Iustices of the assise of that countie shall sit, and shall see the same to continue there, during such time as the sayde Iustices shall sit there in court, vpon payne that euery Chirographer and Sherife offending against any thing in this Acte contained, shall forfeite to the Queene and Informer v. p. to bee recovered in any court of recorde, wherein no Essoyne, *Id.* or *Wl.* shall bee allowed. And the Chirographer for the time being, shall haue and take for euery such content of euery fine so set downe in the table aforesaid *iii. s. 23. Cl. 3.*

The Chirographer his fee for the content of a fine.

26 ¶ And for as much as vpon great examination it appeareth, that diuers synes and recoveries haue beene heretofore leuyed and suffered of diuers Manours, Messuages, Landes, Tenementes, and Hereditamentes which sometime were the inheritaunce of George sometime Earle of Kent, Great Graundfather to Henrie now Earle of Kent, in vse, possession, reuerision or remainder, whereunto the sayde now Earle of Kent pretendeth title, in vse, possession, reuerision or remainder, which if they bee erroneous, as is pretended, doe much varie from the generall cause and mischief, for which this Statute meaneth to prouide: Therefore this Statute nor any thing therein contained, shall extende to take away any wytte of error, whereunto any person or persons is now, or hereafter shalbe lawfully intituled for the reuersing of the sayde fines and recoveries, or any of them heretofore leuyed or suffered of any of the sayde Manours, Messuages, lands, tenementes or hereditaments, which late were any part or parcell of the inheritance of the sayd George, sometime Earle of Kent, in vse, possession, reuerision or remainder, Any thing in this Stat. *cc.* notwithstanding. *23. Cl. 3.*

Earle of Kent his title.

27 ¶ It shall and may bee lawfull for the Iustices clarkes authorized by their warrant in the laide seuerall offices, & places where the same

same

same Records, or any of them do or shall remaine, to wryte out, or to
roule the same records, and euery part thereof, without any thing
to be payed therefore: And the sayde Records, nor any of them, for
the wryting out, or making the roubles thereof, by the Clarke of the
sayde Iustices, otherwise then for the examination thereof, by the
Iustices, shall bee brought, or carryed forth of the sayde offices, or
places. 23. El. 3.

Records are
not to be re-
moued forth
of the office.

28 ¶ None of the fines or reconeries heretofore leuyed, passed,
or suffered, which shalbe exemplified vnder the great Seale, accor-
ding to the forme of this Acte, shall after such exemplification had, be
in any wise amended. 23. El. 3.

No fines or re-
coneries amē-
ded, after ex-
emplification.

1 That writs of Couenant and all other writtes may be sued for
fines, to be leuyed of any Ecclesiasticall profit, S. Tithes, 23.

2 The fee of the Chirographer of the common place for a fine
leuyed. S. Chirog. 1.

3 That writtes shall be inrouled whereupon fine shalbe leuyed.
S. Chirog. 2.

Fish and Fishers.

¶ Whosoever taketh Salmones in any water wherein Salmones
be commonly caught, from the nativite of our Ladie, un-
till Saint Martens day (except in the Countie of Lancaster where
they may be taken at all times sauing betwixt Michaelmas and Can-
dlemas) or taketh, or destroyeth by nets or other engins yong Sal-
mons at mil pooles, or in any other places, from the midst of April, un-
till the feast of S. Ioh. Bap. or both put in any waters of this realme,
at any tyme of the yeere, any nets or engins whatsoeuer, by the which
the frye or breed of Salmones, Lampries, or other fish may in any wise
be taken or destroyed, shall for the first offence haue his nets burned, for
the second imprisoned a quarter of a yeere, and for the thirde a whole
yeere, And so further as the trespassse increaseth, which punishments
for offences in fresh waters shalbe executed by conseruators swoyne.
13. Ed. 1. 46. 13. R. 2. 19. The iustices of peace shalbe conseruators
of this statute in the Counties where they bee Iustices, and they
shall appoint vnder conseruators which shall be swoyne. And if any be
conuict of an offence committed contrary to this statute he shalbe im-
prisoned, and make fine at the Iustices discretion. And the Maior of
London shall haue the conseruation of this statute in the Rivers of
Thames and Medway. 17. R. 2. 9.

Taking of
Salmons.

Conseruators.

¶ If the Admirall, or any Officer or minister of the Admirall-
tie, shall exact, receiue, or take by him selfe, his seruant or deputie,
of any marchant or fisherman any summe of money, doles or shares
of

Exactions on
them which
trauel for fish.

Fish and Fishers.

of fish, or any other reward, or benefite, for any licence, to passe this Realme into Islande, Newfoundlande, Irelande, or other places commodious for the getting of fish, or for any other respect concerning the sayde voyages, he shall forfait for the first offence, treble the summe or value of the rewarde so taken, to the Queene and In, &c. to be recouered by Ac. Inf. &c. wherein no W. &c. E. P. &c. and for the second offence, shall lose his office and make fine at the Queenes pleasure. 2. Ed. 6. 6.

Taking of
spawne.

3 **W**holesoever doeth by any engine, rautele, wayes, or meanes whatsoever, take and kill any yong broode, spawne or frise of any fishe in any fludgate, pipe, at the tayle of any mill, weare, or in any straytes, streames, brookes, Riuers salt or fresh, or shall take in any of the foresayde places, Kepper, or Shedder Salmones or Troutes not being in season, shall forfait for euery offence twentie shillings, the fishe so taken, and the nettes, engins &c. wherewith hee tooke the same. 1. El. 17.

Taking of sal-
mons or
trouts not sea-
sonable.

The length of
fish which may
be taken.

4 **W**holesoever doth take & kill any pickrel not being in length x. inches fish, or more, or any salmon not being xvi. inches, or any trout not being viii. inches, or any barbell not being in length xii. inches or more, or doth fish with any net, Trammel, kepe, woze, hute, crele, or other engine or deuise, but onely with net or trammel, whereof euery meshe shalbe two ynches and a halfe broad, (except angling, and sauing for the only taking of smelts, loches, minowes, bulbeds, gudgeons or Eeles, in such places where they haue bene vbled to be taken and killed) shall forfait for euery offence twentie shillings, the fishe so taken, and the vnlawfull nets and engins wherewith he tooke the same. 1. El. 17. 14. El. 11.

Of what mesh
eche net ought
to be.

Twede, Wlke,
Wye.

5 **P**rovided that this Statute extende not to the fishing of the Riuer of Twede, or of any water, whereof the Queene is answered any pecerly rent or profite, nor to the owners, farmours, or occupiers of the Riuers of Wlke, or Wye, in the Countie of Donmouth, 1. El. 17. 14. El. 11.

6 **E**uery person which ought to haue conseruation of any Riuer, streame or water, or punishment of offences committed in any of them, hath authoritie to enquire, by the othes of twelue men or more, and to heare and determine all the offences committed contrary to the true meaning of this act, within his iurisdiction. 1. El. 17. 14. El. 11.

Destroying of
pooles or fis-
hing

7 **W**holesoever shall by day or night vnlawfully breake, cut downe, cut out, or destroy the head, or damme of any ponde, poole, moat, stang, stewe, or seuerall pit, wherein fishe are or shall be put, or

stoped

stoped by the owner or possessour thereof, or shall wrongfully fishe in any of the sayde seuerall pondes, pooles &c. to the intent to destroy, kill, take or steale away any of the same fishe against the will of the owner or possessour of the same, not hauing lawfull authoritie so to doe, shall paye to the partie greeued his treble damages, suffer imprisonment thre monethes, and then shall finde sufficient suretie for his good abearing for the space of seuen yeeres after, or els shall remaine in prison untill hee hath found sufficient suretie, and it shalbe lawfull for the partie greeued, to sue and take his further remedie against euery such offendour, for his losse and damages before the Iustices of peace, Iustices of assise, and Iustices of oyer, &c. or els where, in any other the Queenes courtes of record, and vpon satisfaction, or confession of the damages to release to the offendour, the suertishippe of good abearing at any time within the seuen yeeres, 5. El. 21. S. Iustice of peace. 34.

8 **¶** Whosoever selleth or putteth to sale any Salmon, by But, barrell, halfe barrell or other vessell, before it be seene, except the But doe containe foure scoze and foure gallons, the barrell xlii. the halfe barrell xxi. gallons, well and faithfully packed, shall forfeite for euery vessell so lacking measure, vi. s. viii. d. and he that doth not packe the great salmon by it selfe, and the small fish called grilles by it selfe, but doeth mingle the great salmon with the grilles or broken bellyed salmon, shall forfeite for euery vessell so packed and put to sale vi. s. viii. d. 22. Ed. 4. 2. 11. H. 7. 23.

Packing of
salmon, & the
contents of
the vessels.

9 **¶** Who so ever putteth to sale any Herring by barrell, halfe barrell, or firkin (except the barrell containe two and thirtie gallons, the halfe barrell and firkin after the same rate,) and that the Herring be of one times taking and salting, and except it be well and iustly couched and packed in the middest, euery end, and part thereof, shall forfeite for euery offence iii. s. iiii. d. 22. Ed. 4. 2. 11. H. 7. 23. But the assise of xxxii. gallons of wine measure, which is about xxviii. gallons by olde Standerd, well packed, and containing in euery barrell a thousand full Herring at the least, shall be taken for true and lawfull assise of herring barrells. 13. El. 11. S. 3. Ed. 3. that sixe scoze herrings bee accounted a hundred, and x. thousand a last.

Herrings.

10 **¶** Whosoever putteth to sale Eeles, except the barrell doth containe xlii. gallons, the halfe barrell and firkin after the rate, or mingleth packeth and putteth to sale any red, galbeaten, mozen, or slipped eeles, with good eeles, shall forfeite for euery such offence x. s. 22. Ed. 4. 2. 11. H. 7. 23.

Eles.

Fish and Fishers.

How fish shall
be packed.

11 **C**Whosoever putteth to sale any barrellled fishe, except the countable fishe, called tale fishe be packed by it selfe, and the small fish called grilles by it selfe, without mixture of them, and without packing of fish with broken bellies with tale fishe, or small fish, or both lay tale fishe or small fishe double in packing, or packeth any tale fishe which doeth not containe in length from the bone in the sinne to the thirde ioynt of the tayle, sixe and twentie ynches at the least, or packeth Fishe the napes whereof bee longer then to the litle bone, which is vpon the great sinne, or which fish is not splatted downe or opened to a handfull of the tayle, or the bone whereof is not taken away to the nauell of the same fishe, shall forfeite thre shillings and foure pence for euery barrell which shalbe found not packed, sorted, mixt, naped, layd double, or not boned as is aforesaide &c. 22. Ed. 4. 2. 11. D. 7. 23.

What the gaug-
mour shall take
for packing of
fish.

12 **C**Euery Gaugior, packer, and searcher shall take no more for gauging of a barrell of salmon, herring, fish, eles, halfe barrell and firkin, then for euery piece q. and for his labour for searching and packing (if neede be) of a barrell of salmon, from hed to hed i. d. and for boning, naping, and packing of a barrell of fish (if it be neede) i. d. and for serching and packing of a Barrell of Herring (if neede be) ii. d. and for serching and packing euery baryl of eles ii. d. And so in halfe barrells and firkins of herrings and eles, they shall take according to the former rate. And if any gaugior, or sercher or packer doe the contrary, he shall lose his office, and also be imprisoned fourtie dayes. But the sayde sercher or packer shall receiue nothing of the sayde fees, by colour of their office, but onely for such Butts, Barrells &c. as by them shal be sufficiently serched and packed, and were not sufficiently packed before. 11. D. 7. 23.

What herrings
may be bought
of strangers.

13 **C**It is not lawfull to any person to buy of any straunger bozne out of the Queenes obeysance, or out of any straungers botome, any Herring being not sufficiently salted, packed, and casked (herrings brought into this Realme by reason of shipwracke onely except) vpon paine to forfeite the Herrings so bought, or the value thereof. 5. El. 5.

Cod & ling shall
be brought
loose into this
realme.
Fish brought
in by strangers
shall not be
dried in Eng-
land.

14 **C**It is not lawfull to any person to bring into this Realme any Cod, or Ling in barrells or other caskes, but loose in bulke and by tale, to be solde within the Realme, vpon paine to forfeite all the Cod and Ling &c. or the value thereof. 5. El. 5.

15 **C**No fish taken, or brought into this Realme by any straunger, nor any fish commonly called scottish fish, or Flemish fish, shall be
dried

yled within England to bee solde, vpon paine of forfaiture of al such Fishe or the value thereof, which forfaiture shall bee to such person dwelling at any Towne where is any Port, peere or hauen, as will seise the same or sue for the value in any Court of recorde, to bee employed to the repaire and maintenance of such Port, peere, or Hauen, as is next to the place where the offence shall bee done. 13. Eliz. 11.

16 ¶ No herrings shall bee bought or solde in the sea vntil the fishers bee come to the hauen with their herrings, and that the cable of their ship bee drawen to the lande, and the sale of them shalbe from the Sunne rising vntill the sunne setting, and not befoze nor after, vpon paine of forfe. thereof. 31. Ed. 3.

The sale of
herrings.

17 ¶ It shall not bee lawfull to any native Englishman, woman, or Denizen, at any time after the ende of this Session of this Parliament, directly or indirectly, by them selues, their seruants, Factors, Agents, Deputies or friends, or any of them whatsoeuer, to goe, or sende into any other foraine Countrey, Realme or Dominion whatsoeuer, for the buying, prouiding, or bringing into this Realme out or from any the sayde Foraine Realmes, or Dominions out of the Queenes obepsaunce, of any Salted Fishe, or Salted Herrings, nor shall make any agreement with any Alien or Straunger, or any other for such bringing into this Realme by any Alien or Straunger, of any Salted Fishe or Salted Herrings. And no salted Fishe nor salted Herrings shall bee brought hither out of the sayde foraine Realmes and Dominions, but by the meere owners thereof, or Deputies of them being Aliens and Strangers, without the procurement of any Subiect of the Queenes Maiestie, her heires or successours, or of any Denizen, and by none other person or persons, vpon paine that such Englishe person or Denizen offending against this Acte shall forfeite the same salted Herrings, and Salted Fishe or the value thereof, to the Queene and him that will first seise the same, or first sue for the value thereof, by Action, Bill, Plaint, or Information, wherein no Wager, Essayne, &c. 23. Eliz. 7.

Englishmen,
not denizens
shall not sende
into foraine
regions to buy
salt fish or
herrings.

18 ¶ It shall bee lawfull for all and enery her Maiesties subiectes, being owners of any Shippes, Barkes, or vesselles, to receyue and take into their sayde Shippes, Barkes, Crayers, and vesselles sayling with crosse Sayles, any Herrings or other fish, which any Allen or Stranger shall buy and prouide of any of her

Englishmen
transporting
fish, which Al-
liens shal buy.

Fish and Fishers.

subiectes within this Realme. And the sayde herrings and fish of any of them may transport into any partes beyonde the Seas, in their sayde shippes or vessels with crosse sayles, so as the sayde Aliens or Straungers pay to her Maiestie her Customes and dueties for the same. 23. El. 7.

What custome
Aliens shall
pay for salted
fish & salted
herring.

19 ¶ All Aliens and Straungers, shall from hencefoorth, and from time to time, pay to her Maiestie for all salted Fish and salted Herring to bee brought into this Realme, all such like Customes and impositions, as are or shall bee imposed and set vpon any her Maiesties subiectes in those forreine Regions and countreyes, Portes and Townes from whence the sayde salted fish and salted Herrings shalbe shipped & brought for the like fishes & herrings ouer and besides the ordinary customes, which haue bene payed to her Maiestie for y^e same. 23. El. 7.

Whactising of
deceitful actes
to auoyde this
Act.

20 ¶ If any person or persons shall doe, suffer, cause, or procure any fraudulent, deceitfull or colourable act whatsoeuer, whereby any part of this acte before mencioned, shall or may bee colourable, fraudulently or deceitfully auoyded, or frustrated, contrary to the intent thereof, then every person so offending, shall forfeit for every such his offence CC. ponne, the one moitie whereof shall bee to our Soueraigne Ladie &c. and the other moitie to him or them that will sue for the same, in any court of Recorde by Bill, Plaint or Information, wherein no Essoyne, Protection or Wager shall bee allowed. And if any alien or Straunger shall wilfully conceale any acte or thing whatsoeuer, to bee done to the deceyuing, colouring or defrauding of any braunch or article of this estatute before mencioned, Then every such Allen and Stranger shall forfeite for such offence to the Quene his shippe and vessel, and all that thereunto appertaineth, to bee seised to her Maiesties vse by any her Subiectes: And mozeouer if any Allen or Stranger bozne, shal bring into any Hauen, Port, Creeke or Towne of this Realme, any salt Fish, or salt Herrings, which shall not be good, sweete, seasonable and meete for mens meat, and shall offer the same to bee sould, and shal bee warned by any officer of such Port, Hauen or Towne (where the same shall bee offered to bee solde) that the same bee not seasonable nor meete for mens meate, Then if hee or they with their sayde Fish, shall after that, offer any of the sayde vnseasonable fish, to bee solde to any person within this Realme, or shall not depart with the same from the said hauen, Port, or Towne so soone as conueniently will serue, Then all and every person

Aliens bring-
ing in vnsea-
sonable fish.

person owners thereof, shall forfeite to our saide Soueraigne Ladie, all the sayde vnseasonable fishe vnnecessary for mans meate as befoze is sayd. 23. El. 7.

21 **C** This Act, or any thing therein contayned, shall not extende or be prejudiciall to any providing or bringing of fish, in, or out of the Countrey of Irland, Scotland, or Newfound land, or any the parts or Seas thereunto adioyning, or on the Scottish Seas, nor to any fish, that shall be killed, taken and salted by the Queenes natural Subiects. Any thing in this Acte &c. notwithstanding. 23. El. 7.

Bringing of fish from Irland Scotland. Newfound land.

22 **I**t shall bee lawfull for all the Queenes subiectes, now vsing the trade of bringing in of Staple fishe, and Lyngs from beyond the Seas, to bring in English bottomes into this Realme, for the better supplie of present furnishing of this Realme with vitayle, all maner of Staple Fishe and Lyngs beyng good and wholsome for mans body, during the space of three yeeres next folowing the end of this Session of Parliament. Any thing in this Acte &c. notwithstanding. 23. El. 7.

Bringing of Staple fish & Lynge.

23 **A**ll ordinaunces of the Fishmongers of London, or of any other Companie or Corporation whatsoever, made or to bee made, for restraint of any person to take or sell Fishe, or to buy or provide any Fishe of any Marchaunt or other within this Realme, shall be repelled and voyde. And every person or body corporate, that shall make or execute any such ordinaunce or restraint, shall for every such offence, forf. C. li. to the Queene and the partie grieved that will sue for the same by A. of debt in any Court of Record, wherein no W. C. P. &c. 23. El. 7.

Ordinances of companies, for restraint to take, buy or sell fish.

1 For the transporting of Herring and other sea fish, S. Corne. 1. Shippes. 1.

2 For restraining or taking tolle of fish brought into this realme. S. Shippes. 2.

3 That no fisherman shal anker vpon the maine sea, in the time of the common fishing, S. Shippes. 7.

4 That no fisherman shall bee compelled to serue as a souldier, or as a mariner, but in certaine cases, S. Mariners. 2. 3.

5 That none of the Queenes purueyours shal take any fish from any man, that taketh the same in any English mans shippe. S. Purueyours. 24.

6 What fish may bee transported without custome, S. Custome. 5.

Fishdayes.

Every wed-
nesday fish day

Every Wednesday in every Weeke through the whole yeere, which heretofore hath not (by the lawes or customes of this Realme) bene obserued as a fish day, and which shall not fall in Christ-
mas weeke or Easter weeke, shall be obserued as the Saterdayes in every weeke, be or ought to be. And no person shall eate any fleshe on the same day otherwise then ought to bee vpon the common Saterday. And it shall not be lawfull to any person within this Realme to eate any fleshe vpon any dayes nowe vsually obserued as fish dayes, or vpon any wednesday nowe newly limited to bee obserued as fish day, vpon payne to forfeite iii. li. for euery time he shall offend, or els suffer iii. moneths close imprisonment, without bayle or mainprise. And euery person within whose house any such offence shall be done, and being priuie or knowing thereof, and not effectually punishing, or disclosing the same to some publique Officer hauing authoritie to punish the same, for euery such offence shall forfeit xl. shillings. 5. El. 5. 2. Ed. 6. 19.

The offender.

The partie in
whose house
the offence is
committed.

One dish of
flesh.

2 **I**t shall be lawfull to any person to haue at his table vpon euery Wednesday, being ordered by this estatute to be obserued as a fish day, one onely vsuall competent dish of fleshe of one kinde and no moze, so that he haue also serued to the same table and messe at the same meale, iii. full competent vsuall dishes of sea fish, of sundry kinds, either fresh or salt, and that without fraud or couin, and so shal also order, that the same fish be meete and seasonable, and that it shalbe eaten or spent in like maner as vpon Fridayes or Saterdaies in like cases are vsed, vpon the paine aforesayd. 5. El. 5.

Persons licen-
ced to eat flesh.

3 **S**uch persons as haue vpon good consideration any lawfull licence to eat fleshe vpon any fish day, be bound to haue for euery one dish of fleshe serued to be eaten at their table one vsuall dish of sea fish, fresh or salt, to be likewise serued at the same table, and to be eaten, or spent without fraud or couin, as the like kinde is or shalbe vsually eaten or spent on saterdayes, (except such persons as for sicknesse, shall for that time be licenced by the Bishop, Curate or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall lawes of this realme) vpon the payne aforesayd. 5. El. 5.

The forfei-
tures.

4 **A**ll which forfeitures for not abstaining from meats shall bee deuided into thre equall partes. That is, one part to the vse of the Ducene her heires &c. the other part to the Infourmer, the thirde to the common vse of the parish where the offence shalbe committed, and to be leuied by the Churchwardens after any conviction in that be-
halfe. 5. El. 5.

5 **B**ut this act concerning eating of fleshe, shall not extende to
any

any persons hauing speciall licence, vpon causes contained in the same, and graunted according to the lawes of this realme, euery of which licences shalbe voyde, vntlesse the same containe these conditions, v^r. Euery licence made to any person of the degree of a Lorde of the Parliament & his wife, shalbe vpon condition, y^t they shall pay to the pooze mens boxe, within the parish where they remaine &c. in the feast of the Purification of &c. or within sixe dayes after, xxvi. s. viii. d. And to bee payed within one moneth next after the same feast, vpon paine of forfaiture of the same licence. A knight and his wife shall pay peereley xiii. s. iiii. d. Euery person vnder the said degree shall pay peereley vi. s. viii. d. to the sayde vse, at the foresaide time, and vpon the aforesaid condition. 5. El. 5.

The condition
of licences.

6 ¶ All persons which by notozious sickenesse shalbe enforced for the recouery of their health, to eat flesh for the time of their sickenesse, shall bee licenced by the Bishop of the dioces, or by the Parson, Vicar, or Curat of such parish, where such person is sicke, or of one of the next Parish adioynning (if there bee no Curate &c. in the same Parish, or if he be willful) which licence shall be signed with the hand of the Bishop, Parson &c. and endure no longer then the time of sickenes. And if the sicknes continue aboue eight dayes after the licence graunted, it shall bee Registred in the Church booke, with the knowledge of one of the Churchwardens. And y^t party licenced shall giue to the Curate iiii. d. for euery entry, and it shall endure no longer but for his sickenesse. And if any licence by any Parson, Vicar, or Curat bee graunted to any person other then such as evidently appeare to haue neede thereof by reason of their sickenesse, not onely euery such licence shalbe voyd, but also euery such parson, curat or vicar shall forfait for euery such licence otherwise graunted v. Markes. 5. El. 5.

Licences to
sicke persons.

7 ¶ No licence shall extende to the eating of any Beefe at any time of the yeere, nor to the eating of any Meale, in any yeere from the feast of Saint Michael the Archangell, vnto the first day of May. 5. El. 5. to continue for ten yeeres, from the feast of Saint Michael, An. Do. 1564. and from thence to the ende of the next parliament,

To the eating
of whatmeats
a licence doeth
not extende.

Force, & forcible entry.

Whosoeuer maketh his entry into any landes & tenements, but in case where his entry is giuen by the lawe, & that in peaceable and easie maner, and not with strong hand & multitude of people, and thereof is conuicted, shall bee imprisoned and pay a fine at the Queenes pleasure. 5. Rich. 2. 7. The like proces shall bee awarded in

The punish-
ment of forcible
entries.

R. iiii.

euery

Force, and Forcible entrie.

every action brought vpon this statute as in a common action of trespassse at the common lawe. 23. Hen. 8. 14. If the plaintife in this action after the apparance of the defendant be non suite, or any verdict passe against him, the defendant shall recouer costes against the plaintife. 23. H. 8. 15.

Forcible entrie
or forcible des-
taining of lād.

2 **¶** Whosoever doeth enter with force into any landes or tenements, or into any benefices or offices of the Church, or doeth enter peaceably, & after doeth hold them with force, vpon complaint thereof made to one or more Iustices of the peace of the countie, or to the Shalor, Bailife, Sherife, Iustices or Iustice of peace of the Citie, Towne, or Borough hauing Fraunchise, where such forcible entrie is made, the sayd Iustice, Shalor or &c. shall within conuenient time take sufficient power of the same Countie, Citie &c. and at the costes of the plaintife, goe to the place where the force is made. And if hee doe fynde any that made such forcible entrie, or that holde the place with force after peaceable entrie made, he shall take the offenders and commit them to the next Gaole, there to remayne conuict by recorde of the same Iustice, vntill they haue payed a fine to the Queene. And whether p parties which made such entries bee present, or gone at the comming of the Iustice, the sayde Iustice, Shalor &c. shall in some good Towne or conuenient place, neere vnto the place where such force was made, inquire by a sufficient Iurie of the same Countie, Citie &c. of the which made such forcible entries. And if it bee founde before them, that any haue made entrie in foyme aforesaide, the sayde Iustice, Shalor &c. shall relesse the sayde landes or tenements so entered vpon, and thereof put the partie in possession which in such soyt was put out. 15. Rich. 2. 2. 8. H. 6. 9. S. Iustice of peace. 89.

A feoffment of
landes obtay-
ned by force.

3 **¶** And if any person after such entrie or holding with force, will make a feoffment, or other discontinuance to any Lorde or other person to haue maintenance therein, the same is vetterly boyde. And also in the cases aforesayd the p. griued may haue an assise of Nouel disseison, or an action of trespassse against the disseisor, and if the def. be attainted of force, hee shall answere to the pl. his treble damages, and also pay a fine to the Q. But they may keepe lands with force, which either them selues, their Auncestors, or they whose estate they haue, haue bin in possession of the same by the space of thre yeeres or aboute. 8. H. 6. 9. 1. R. 2. 9.

Keeping lands
whereof the
partie hath bin
in. yeeres in
possession.

Eacheman shall
helpe to res-
tore force.

4 **¶** If the Sherife, or any other of the countie doe not attende vpon the Iustice to goe and assist him, to arrest such offenders, he or they so offending shalbe imprisoned & pay a fine to the Q. 15. R. 2. 2.

5 **¶** Whosoever

5 **W**holesoever maketh any forcible entrie into an other mans lands in his owne right to his owne vse, or in any other mans right to his vse, by the way of maintenance, and therof is attainted in an Assise at the suite of the partie griued, shalbe one peere imprisoned, and pay to the partie griued his double dammages. And also shal answere to the partie griued, damages for his goods, and cattels, if vpon the said forcible disseison, hee tooke away any. 4. H. 4. 8.

Forcible entries by maintenance.

1 What Iurors shalbee returned to inquire of forcible entries. S. Iuries. 12.

2 That no discent after a forcible disseison shall take away any mans entrie. S. Entrie. 1.

3 Where a speciall assise is grauntable vpon a forcible entrie. S. Assise. 6.

4 For Riots, routs & vnlawfull assemblies, & all forces thereupon committed, S. Riots.

Forrests, Chases, Parkes, Warrens.

NO man shal lose life or member for killing of the Queenes deare, but if he be taken therewith & conuicted, he shall make a grievous fine (if he hath any thing) if not, he shall be imprisoned a yere & a day, & after shalbe deliuered, if he can finde sureties, or otherwisc hee shall abjure &c. Charta forrest. 9. H. 3. 10. But to hunt in the night in any forrest, Parke, or Warren, or with painted faces, visors or other disguisings to the intent he would not bee knowen, & being examined before one of the Queenes counsell, or a Iustice of peace of the same shire to coeale y^e same offence, or any offendor, is felony. 1. H. 7. 7. S. Felony. 24.

The punishment for killing the Queenes deare.

Hunting disguised.

2 **T**he Forresters in whose bailiwikes any trespass done with in the Queenes Forrest of Wert or Wenison shall bee committed, shall present the same trespasses at the next Swanimont before the Forresters, Werdours, regardours, Agistours and other officers of the Forrest, which presentment shalbe made by the othes of knights, and other good and lawfull men and not suspicious, of the parties adioyning, or neere where such trespasses shalbe presented, & where the trueth may best be knowen. And the trueth being perfectly knowen, then such presentment by the consent of all the sayd officers, shall bee solempnly written and sealed with their seales, And if any indictment be in other maner, the same shalbe voyde. And no man shalbe taken or imprisoned for Wert or Wenison, vnlesse hee be taken with the maner, or indicted in forme aforesaid. And the chiefe Warden of the Forrest shall let him to mainprise, untill the Eire of the Forrest, without taking any thing for his deliuerance. 34. Ed. 1. 1. Ed. 3. 8. And if any officer of the Forrest doth imprison any person, or doth compel any person to make any obligation

The punishment of offenders.

Forrests, Chases, Parkes, Warrens.

obligation of ransom unto him, against the ordinance aforesaid, and is thereof attainted, he shall pay to the partie grieved his double damages, and make fine to the Queene. 7. R. 2. 4.

Hunting
Deare in a
parke or other
inclosed
ground.

3 ¶ If any person do wrongfully, or unlawfully by night or day, breake, or enter into any Parke impaled, or other severall ground inclosed, with wall, pale, or hedge, used for the keeping, breeding, & cherishing of deare, And hunt, chase, or drive out, or take or kil any deare, within the sayde ground, he shall yeeld to the partie grieved his treble damages, suffer imprisonment by the space of iii. moneths, & then shall find sufficient sureties for his good abearing by the space of vii. yeeres after, or else lie in prison untill he hath found sureties. But this statute shall not extend to any Parke or inclosed ground used for deare hereafter to be made, without the graunt or licence of the Queene, her heires, successors or progenitors. And it shalbe lawfull for y party grieved to sue & take his further remedy against euery such offendour for his losse & damages, before the Iustices of peace, Iustices of assise, & Iustices of Oyer &c. or els where in any other the Queenes courts of recorde. And vpon satisfaction or confession of the damages, to release to the offendour the suertishippe of good abearing at any time within the vii. yeeres. 5. El. 21. S. West. 1. 3. Ed. 1. 20. That whosoever committeth Trespas in parkes or poudes, shal make great amendes to the partie, be iii. yeeres imprisoned, make fine at the Queenes pleasure, and finde suretie that he shal not commit the like offence. And if he cannot finde suretie, he shal abiure, and if he flye and haue no land, he shalbe proclaimed and outlawed. S. Iustice of peace. 34.

Killing of of-
fendours in for-
rests, parks, or
warrens.

4 ¶ If any Forrester, Parker or Warrenner, finde any offendours within his Bailiwick there wandering, and doing hurt, which after hup and cry leued to keepe the peace, and obey the law, will not yelde themselves to the same Forrester &c. but will flye and defende themselves by violence, Then though the Forresters &c. or any other being in their company to keepe the Queenes peace, comming to arrest such offendours, do slay any of the sayd offendours, he shall neither suffer death, nor sustaine any other punishment therefore. But if any of the sayde Forresters, Parkers or Warrenners, by reason of any contention, despite, or hatred before conceived will laye to any mans charge passing through his Bayliwick, that hee came thither to doe hurt, whereas he did not, neither was found wandering or offending, and so kill him, and thereof be convicted, he shalbe punished for his death, as he ought to be punished for the death of an other being in the Queenes peace. 21. Ed. 1.

Noble men
may hunt the
Queenes
game.

5 ¶ It is lawfull for euery Archbishop, Bishop, Earle, or Baron, comming

comming to the Queene at her commaundement, and passing by her Forrest, to take one or two of her deare by the view of the Foster, if he be present, or els he shall cause a hoene to be blowen, least he should seeme to steale it. And likewise may they doe, as they retorne home. Charta forest. 9. H. 3. 11.

6 **D**ogges shall be lawed euery iii. yeeres when the range is made by the testimony of honest men, in those forrestes where dogges haue bene vled to be lawed, and not else where, v3. the iii. clawes of the forefoote shalbe cut off by the skinne, and he whose dog is not founde lawed, shalbe amerced iii. s. But no Dre shall be taken for the lawing of dogges. Charta forest. 9. H. 3. 6. lawing of dogges.

7 **N**o Jury shalbe cōpelled against their willes, by theatrings, or imprisonment, to trauell from the place where their charge was giuen them, to giue their verdict, nor yet to giue their verdict otherwise then their conscience doth moue them, for any trespass committed within the forrest. 7. R. 2. 3. The Jury shal giue their verdict where they receiue their charge. Neither shall those persons which doe remaine without the forrest come befoze the Iustices of the forrest by common summons, except they be impleaded, or pledges of any person or persons which be attached for the forrest. Charta forest. 9. H. 3. 3.

8 **E**uery Iustice of the Queenes Forrests, Parkes, and Chases within this Realme, by their writing sealed with the seale of their office, shall make and appoynt as many deputie or deputies for the exercising of the same office of the Iustice of the Forrests, as to such Iustices from time to time shall bee thought conuenient, which deputie and deputies so appointed, shall haue like authoritie to doe and execute all things concerning the Queenes Forrests, Parkes, and Chases, and all other thinges concerning the office of the Iustice of the Forrests to all intents, and in as ample maner as the same Iustice may lawfully doe, and as though the same Iustice were there personally present. 32. H. 8. 35. Euery Iustice of the forest, may make deputies.

1 How eche person may vse his woods, ground, & other things which he hath within the forest. S. Woods. 23. 24. 25.

2 That officers of Forrestes shall not be sworne in Enquest, S. Iuries. 4.

3 That a man hauing no parke &c. of his owne, shall not keepe any Bucke stals or Deare haies. S. Hunting. 3.

4 That no mā shal stalke, but in his owne ground. S. Hunting. 4.

5 Howe long woods felled in a parke or ground inclosed for Deare shalbe preferued from cattell. S. Woods. 20.

6 That he which hath a parke and deare therein, shalbe charged to keepe certaine horses therein. S. Horses. 1.

7 Where

Forfaitures.

7 Where drifts shalbe made of forestes or chases, when, and by whom, S. Horses, 7.

Forfaiturs.

Forfaite for
killing of cer-
taine robbers
or felons.

If any person shalbe indicted, or appealed, of or for the death of any such euill disposed person, which attempteth feloniously to robbe or murder him in or nigh any common high way, cart way, horse way, or footeway, or in his mansion or dwelling place, or for the killing of him which attempteth to breake his dwelling house in the night, and of the same by verdict so founde and tried, he shall lose neither landes, tenements, goods or cattels, for the death of any such euill disposed person, but shalbe fully discharged thereof, as if he were acquit of the death of the said person, 24. H. 8. 5.

Forfaite by at-
tainder of high
treason.

2 **E**uery offender being lawfully conuicted of high treason, by verdict, confession, outlawrie or presentment, shall forfeit to the Queene all such landes, tenements and hereditaments, which he shall haue in his owne right, in vse or possession of any estate of inheritance, at the time of such treason committed or at any time after. 5. Ed. 6. 11. But there shalbe no corruption of blood to any heire, nor the wife of the offender shall forfeite her dower, by the attainder of any person for any of the offences made treason by the statute provided. 5. El. 1. for the assurance of the Queenes power ouer all estates, or by the stat. provided 5. El. 1. against the clipping, washing, rounding or filing of Coyne, or by the Statute provided. 18. Eliz. 1. against the impairing of the Queenes coyne and other coyne currant within this realme.

1 Where a woman shall forfeite her land for making an vnlawfull contract of matrimonie, S. Women. 10.

2 Where there shalbe forfeit of lande for committing or consenting to rape, S. Rape. 3.

3 Who shall haue the forfeitures of all Felons goods and lands condemned, S. Prerog. 16.

4 Who shall haue the forfeit. of a Bishops tenants attainted during the vacation, S. Prerog. 14.

5 That no person arrested and imprisoned shall forfeit his goods before he be conuicted &c. S. Sheriffes. 26.

Forging of deedes and writings.

Forging of
any deedes,
whereby ano-
thers freehold
shalbe troubled

If any person vpon his owne head and imagination, or by false conspiracy and fraude with others, shall wittingly, subtilly, and falsely forge or make, or subtilly cause, or wittingly assent to be forged or made any false deede, charter or writing sealed, court roule, or the will of any person in writing, to the intent that the estate of freehold or inheritance of any person or persons, of, in, or to any landes, tenements,

or

of hereditaments, freehold or copie holde, or the right, title, or interest of any person, of, in, or to the same or any of them, shall or may bee molested, troubled, defeated, recovered or charged, or shall pronounce, publish, or shewe forth in evidence any such false & forged deede, charter, writing, court roule, or will, as true, knowing the same to bee false and forged, to the intent aforesaid, & shalbe thereof conuicted, either vpon action or actions of forger of false deedes, founded vpon this statute, at the suite of the partie grieved, or otherwise according to the course of the law, or vpon bill or information exhibited in the Starre Chamber, he shal pay to the party grieved his double costs & damages found or assessed in the court where such conuiction shalbe, & also shalbe set vpon the Pillorie in some market towne, or open place, & there haue both his eares cut off, & his nostrils slitte, cut and seared with a horte Iron, so as they may remaine for a perpetuall marke of his falshood, & shall forf. to the Queene, the whole issues & profits of his lands, during his life, & shall suffer perpetuall imprisonment during his life, The said damages & costes to be recovered at the suite of the partie grieved, to be first payed & leuied of the goods & cattels of the offender, and of the issues and profits of his lands &c. or of one or both of them, the title of the Queene &c. notwithstanding. 5. El. 14.

2 ¶ If any person vpon his owne imagination, or by false conspiracye or fraude with any other, shall wittingly, subtilly & falsly forge, or make, or wittingly, subtilly and falsly cause or assent to bee made, and forged, any false charter, deede, or writing, to the intent that any person or persons shall or may haue or clayme any estate or interest for terme of yeres, of, in or to any manors, landes, tenements or hereditaments not being copy holde, or any annuities in fee simple, fee taile, for terme of life, liues, or yeeres, or shall as is aforesaid forge, make or cause, or assent to be made or forged any obligation, or bill obligatorie or any acquittance, release, or other discharge of any debt, accompt, action, suite, demaund or other thing personall: Or shall pronounce, publish, or giue in evidence any such false or forged charter, deede, writing, obligation, bill obligatorie, acquittance, release or discharge, as true, knowing the same to be false, and forged, & shalbe thereof conuict by any of the wayes or meanes aforesaid, then he shall pay to the partie grieved, his double costs & damages to be found and assessed in such court, where the said conuiction shalbe, & also shalbee set vpon the Pillorie in some open market towne, or other open place, and there haue one of his eares cut off, and also shall suffer imprisonment by the space of one whole yere without baile or mainprise. 5. El. 14.

Forging a deede whereby a lease or annuities may be claymed.

Forging an obligation, accompt, acquittance, release. Giving in evidence a forged deede.

3 ¶ The partie grieved by reason of any the offences aforesayde shall

Several remedies for the partie grieved.

Forging of deedes and writings.

No person
twice impea-
ched of one
offence.

The pl. release
shal onely dis-
charge his res-
medie.

The punish-
ment for the
second offence.

Others rights
saured.

These persons
are not charge-
able by this
statute.

shall and may at his pleasure, haue, & sue his action of forger of false deedes, vpon this statute against any the offenders in the same, by originall writ out of the Chaucerie, & haue like proces vpon the same, as in cases of trespass at the common law, or may take his suite against any such offenders in any the premisses, by bill, in the Kings Bench, or in the Eschequer, wherein no C. J. P. &c. But if the defendaunt shalbe conuicted for any the offences aforesaide, according to the order aboue limited, and shall haue receiued punishment corporal, according to this act, then he shall not esloones be impeached for the same offence, but though the plaintife in any such action or bill to be sued, shal after verdict passed against the defendaunt release or discharge the iudgement, or execution vpon the same, or otherwise suffer the same to bee discontinued, yet the same release, discharge or discontinuance shal extend onely to discharge such costs and damages as the same plaintife should haue had against the defendant, and the Iudges before whome the said action or suite shall be taken, shall and may proceede to iudgement vpon the residue of the sayd penalties and forfeitures, and commande execution vpon the same, the sayde discontinuance or other discharge notwithstanding. 5. EL. 14.

4 ¶ If any person beyng conuicted of any of the offences aforesaide, by any the wayes or meanes aboue limited, shall after such his conuiction esloones commit any of the sayd offences in forme aforesaid, & shalbe thereof conuicted or attainted, then euery such second offence shalbe adiudged felony without benefice of Clergy or Sanctuarie, But there shalbe no corruption of blood, disheritance of the heire, or forf. of dower by this felonye, Sauing to euery person (other then the said offenders, & such as claime to their bles) all such rights, titles, & other profits which any of them haue, at the time of such conuiction or before, in or to any the lands &c. of any such person conuicted. And all and euery Iustices of Oier and determiner, and Iustices of Assise in their circuittes, & euery of them shall haue aucthoritie in their open and generall Sessions to enquire of, heare & determine of all and euery the offences aforesaid, committed or done within the limits of their Commission, and to make proces for the execution of the same, as they may doe against any person being indicted before them of Trespas, or lawfully conuicted thereof. 5. EL. 14.

5 ¶ But this Act shall not charge any Ordinarie, or any of their Commissaries, Officials, Registers, or any other their officers, for putting their seale of office to any will exhibited vnto the, not knowing the same to bee false or forged, or for writing of the said wil or probate of the same. Neither shall it bee hurtfull to any Doctor, Aduocat,

or Register of any Ecclesiasticall court within this Realme, for the writing, setting forth, or pleading of any Proxie made according to the Ecclesiasticall lawes, vsed and allowed by the Ecclesiasticall courts for the apparance of any person cited to appeare in any of the sayde Courtes, nor to any Archdeacon or Officiall for putting their Authentique seale to the saide Proxie, neyther yet to any Judge Ecclesiasticall, for admitting the same. Neither shall this Act extend to any Attourney, Lawier, or Counsaillor that shall for his Client pleade, shewe forth, or giue in euidence, any false and forged deebe, Charter, will, Court roule, or other writing, for true or good, being not partie and priuie to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same. Neither shall this Act extend to any person that shall pleade or shewe forth any deebe or writing exemplified vnder the great Seale, or the seale of any other Authentique Court of this Realme. Nor shall extend to any Judge or Justice, or other person that shall cause any seale of any Court to be set to any such deebe, Charter, or writing inrouled, not knowing the same to be false or forged. 5. El. 14.

1 That a seruant taken with a forged testimoniall, shalbe whiped as a Vagabond, S. Laborers, 8.

2 For getting other mens goods by a counterfaite or forged token or letter, S. Counterf. 1.

Forestallers, Ingrossers, Regrators.

Whosoeuer doeth buy or cause to be bought any marchandize, vitaille or other thing comming by lande or water towarde any faire or maket, to be solde in the same, or comming towarde any Citie, Port, Hauen, Creeke or Rode of this Realme or Wales from any part beyond the sea, to be solde, or make any bargaine, contract or promise, for the hauing or buying of the same, or any parte thereof so comming, before the sayd marchandize, vitailles, or other thing shall be in the market, faire, Citie, Port, Hauen, Creeke or Rode, ready to bee solde, or shall make any motion by worde, letter, message, or otherwise to any person for the enhauncing of the price, or dearer selling of any of the things aboue mencioned, or else dissuade, moue, or stirre any person comming to the market or faire, to forbear to bring any of the things aboue mencioned, to any faire, market, citie &c. shall be adiudged a forestaller. 5. Ed. 6. 14. Anno 34. Ed. 1. it was enacted, that no forestaller should be suffered to dwell in a towne, for he is a manifest oppressor of the poore, a publike enimie of the countrey, and whole common wealch.

2 Whosoeuer shall regrate or get into his possession, in any faire or

who is a
Forestaller.

who is a
Regrator.

Forging of deedes and writings.

No person
twice impea-
ched of one
offence.

The pl. release
that onely dis-
charge his re-
medie.

The punish-
ment for the
second offence.

Others rights
sauid.

These persons
are not charge-
able by this
statute.

shall and may at his pleasure, haue, & sue his action of forger of false deedes, vpon this statute against any the offenders in the same, by ori- ginall writ out of the Chauncerie, & haue like proces vpon the same, as in cases of trespass at the common law, or may take his suite against any such offenders in any the premises, by bill, in the Kings Bench, or in the Eschequer, wherein no C. J. P. &c. But if the defendaunt shall be conuicted for any the offences aforesaide, according to the order aboue limited, and shall haue receiued punishment corporall, according to this act, then he shall not esloones be impeached for the same offence, but though the plaintife in any such action or bill to be sued, shall after verdict passed against the defendaunt release or discharge the iudgement, or execution vpon the same, or otherwise suffer the same to bee discontinued, yet the same release, discharge or discontinuance shall extend onely to discharge such costs and damages as the same plaintife should haue had against the defendant, and the Iudges before whome the said action or suite shall be taken, shall and may proceede to iudgement vpon the residue of the sayd penalties and forfeitures, and com- mande execution vpon the same, the sayde discontinuance or other dis- charge notwithstanding. 5. EL. 14.

4 ¶ If any person beyng conuicted of any of the offences aforesaide, by any the wayes or meanes aboue limited, shall after such his conuiction esloones commit any of the sayd offences in forme aforesaid, & shall be thereof conuicted or attainted, then euery such second offence shall be adiudged felony without benefite of Clergy or Sanctuarie, But there shall be no corruption of blood, disheritance of the heire, or forf. of dower by this felonie, Sauing to euery person (other then the said offenders, & such as claime to their bles) all such rights, titles, & other profits which any of them haue, at the time of such conuiction or before, in or to any the lands &c. of any such person conuicted. And all and euery Iustices of Oier and determiner, and Iustices of Assise in their circuittes, & euery of them shall haue auctoritie in their open and generall Sessions to enquire of, heare & determine of all and euery the offences aforesaid, committed or done within the limites of their Commission, and to make proces for the execution of the same, as they may doe against any person being indicted before them of Trespas, or lawfully conuicted thereof. 5. EL. 14.

5 ¶ But this Act shall not charge any Ordinarie, or any of their Commissaries, Officials, Registers, or any other their officers, for putting their seale of office to any will exhibited vnto the, not know- ing the same to bee false or forged, or for writing of the said wil or pro- bate of the same. Neither shall it bee hurtfull to any Proctor, Aduocat,

of Register of any Ecclesiasticall court within this Realme, for the writing, setting forth, or pleading of any Proxie made according to the Ecclesiasticall lawes, used and allowed by the Ecclesiasticall courts for the apparance of any person cited to appeare in any of the sayde Courtes, nor to any Archdeacon or Officiall for putting their Autentique seale to the saide Proxie, neyther yet to any Judge Ecclesiasticall, for admitting the same. Neither shall this Act extend to any Attourney, Lawier, or Counsaillor that shall for his Client pleade, shewe forth, or giue in euidence, any false and forged deede, Charter, will, Court roule, or other writing, for true or good, being not partie and piniue to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same, Neither shall this Act extend to any person that shal pleade or shewe forth any deede or writing exemplified vnder the great Seale, or the seale of any other Autentique Court of this Realme, Nor shall extend to any Judge or Justice, or other person that shall cause any seale of any Court to be set to any such deede, Charter, or writing inrouled, not knowing the same to be false or forged. 5. El. 14.

1 That a seruant taken with a forged testimoniall, shalbe whiped as a Vagabond, S. Laborers, 8.

2 For getting other mens goods by a counterfaite or forged token or letter, S. Counterf. 1.

Forestallers, Ingrossers, Regrators.

Whosoeuer doeth buy or cause to be bought any merchandize, vitaille or other thing comming by lande or water towarde any faire or maket, to be solde in the same, or comming towarde any Citie, Port, Hauen, Creeke or Rode of this Realme or Wales from any part beyond the sea, to be solde, or make any bargaine, contract or promise, for the hauing or buying of the same, or any parte thereof so comming, before the sayd merchandize, vitailles, or other thing shall be in the market, faire, Citie, Port, Hauen, Creeke or Rode, ready to bee solde, or shall make any motion by worde, letter, message, or otherwise to any person for the enhauncing of the price, or dearer selling of any of the things aboue mencioned, or else dissuade, moue, or stirre any person comming to the market or faire, to forbear to bring any of the things aboue mencioned, to any faire, market, citie &c. shall be adiudged a forestaller. 5. Ed. 6. 14. Anno 34. Ed. 1. it was enacted, that no forestaller should be suffered to dwell in a towne, for he is a manifest oppressor of the poore, a publike enimie of the countrey, and whole common wealch.

who is a
Forestaller.

2 Whosoeuer shall regrate or get into his possession, in any faire or

who is a
Regrator.

Forestallers, Ingrossers, Regrators.

faire or market, any coine, wine, fish, butter, cheese, candles, tallowe, Sheepe, Lambes, Calues, Swine, Pigges, Geese, Capons, Pennes, Chickings, Pigeons, Conies or other dead vitaille whatsoeuer, that shalbe brought to any faire or market within this Realme or Wales to be solde, and doeth sell the same againe in any faire or market holden in the same place, or in any other faire or market within iiii. miles thereof, shalbe reputed a Regrator. 5. Ed. 6. 14.

Who is an engrosser.

3 **¶** Whosoever doth ingrosse, or get into his handes by buying, contracting, or promise taking (other then by demise, graunt or lease of land or tithes) any coine growing in the fieldes, or any other coine, butter, cheese, fish, or other dead vitail within England, to the intent to sell the same againe, shalbe taken an engrosser. 5. Ed. 6. 14.

Punishment of the offenders.

4 **¶** Whosoever offendeth in any of the thinges before rehearsed, and being thereof duely convicted, or attainted by the lawes of this Realme, or after the forme ensuing, within two yeeres next after such offence committed, shall for his first offence, suffer imprisonment by the space of two moneths without bayle or mainprise, and forsaite the value of the goods, cattell and vitaille so by him bought or had, And being thereof once lawfully convicted or attainted, shall for his second offence, being thereof eftsoones lawfully convicted, &c. suffer imprisonment by the space of halfe a yeere, without bayle or mainprise, and shall lose the double value of the goods &c. so bought or had, as is aforesayde, and being twice convicted of any of the sayde offences, shall eftsoones offende the third time, and be thereof convicted or attainted, he for his thirde offence shall be set on the Pillorie in the Citie, towne or place where he shall dwell, and shall forsaite all his goods and cattell, and shall be committed to prison, and there remaine during the Queenes pleasure. But he that is once punished for any offence, shall not be eftsoones troubled or punished for the same. 5. Ed. 6. 14. Who shall haue the forfeit, and howe it shalbe leyed. S. Iustice of peace. 31.

Vitailles brought from beyond the sea.

5 **¶** But this statute shall not extend to any Wines, Oyles, Sugars, Spices, Currants, or other forreine vitailles brought from beyond the sea (Fish and Salt onely except) 13. El. 25.

These persons for these causes may regrate or ingrosse.

6 **¶** It shall not be aduindged any offence contrary to this statute, to take any cattell, coine, butter, cheese, or any of the aboue rehearsed things reserued vpon any lease, for life, lines, or yeeres, Or to buy any barley, bigge or oies, the buyer whereof shall conuert the same in his house to mault or otemeale, Or for any Fishmonger, Butcher, or Pulter, for to buy any thing concerning their owne facultie which shall sell the same agayne, vpon reasonable prices by retayle, or for any Inholder

Inholder or vitailer, for the buying of wine, or other dead vitaille meete for mans sustenance, to sell the same againe by retaille, within his house, or to any of his neighbours, for their sustenance for reasonable prices, Or for the buying of any herring, dyed or salted fish, or spratts, & sold for reasonable prices. Or for any of the Queenes subjects dwelling within one mile of the maine sea, to buy any fish fresh or salted, & to sel the same againe at reasonable prices, Or for the buying of any cozne, fish, butter or cheese by any badger, laber, kidder, or caryer allowed by iii. Iustices of peace, of that Countrey where &c. which shall sell the same againe in any faire or market, or to any vitailer, or to any other person for the prouision of his house, within one moneth after he bought them, Or for any common prouision made by any person of any of the foresayde things for any Citie, borough or towne corporate, or for the vitailing of any ship, castell, or fort, Or for to buy and prouide vitalles necessarie for the furniture and prouision of the inhabitants of the towne of Berwicke, Holley Island, or of the marches of England agaynst Scotland, which shalbe transported & conueyed to such of the places aforesayd, as soone as wind & weather will serue, Or for a comon and knowne drouer being licenced by iii. Iustices of peace of the countie where he dwelleth, whereof one to be of the Quorum, to buy cattell in such countie where drouers haue bene wont to buy and to sell the same againe, at some markets or fayres being distant at the least forty miles from the place where hee bought them, or for any person being licenced by iii. Iustices of peace &c. to buy cozne, graine or cattell, to bee caried by water from one port or place within England or Wales vnto another, if he doe ship or imbarke the same within fourtie dayes, after he hath bought or couenanted for the same, and with such expedition as weather will serue to transport the same, & do bring a certificat from a Iustice of peace of the countie, or Shair or Bailif of the towne corporate, and the Custommer, where such unlading shall be, testifying the same vnto the Custommer and Comptroller of the port where the same were imbarked, Or for euery person to buy, engrosse, and keepe in his house Cozne, when wheate shalbe commonly at the price of vi. s. vii. d. the quarter, or vnder, malt & barley at iii. s. iiii. d. otes or oers malted at ii. s. pease or beanes at iiii. s. and rie or malline at v. s. the quarter of London measure, or vnder, so that none of all the foresayd cozne, cattell, butter, cheese or other commodities bee bought, couenanted &c. by forestalling. 5. Ed. 6. 14. 13. El. 25.

7 This Statute, or any other Statute, made against forestallers, regrators and ingrossers, shall not extend to any oyle, wine, sea fish

Franchises and liberties.

fish unsalted, mud fish, and salt, as any buyer or buyers upon the sea, by way of foretelling or regrating, shall and do bring in any English subjects shippes, crayers or other vessels, and discharge in any port or haven within this realme. 5. El. 5.

1. For regrating of butter and Cheese. S. Butter. 1. of 1101
2. That no Butcher shall regrade any fat cattell. S. Butchers. 1.
3. Who may buy cattell and sell them againe, and within what time. S. Cattell. 1.
4. That he which buyeth corne for change of his seede shall bring in as much to the market. S. Corne. 10.
5. Who may engrosse Tanned Lether & sell the same againe, and who not. S. Lether. 3 6.

Franchises and liberties.

Statutes provided for Shirifes, shall extend to bailiffs of liberties.

Every statute being in force made before 4. Februarii, Anno 27. H. 8. against Shirifes, under Shirifes, Bailifes, or other ministers for making or returning of panelles or Juries, or for due execution and serving of any writte or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their offices, and all paynes and penalties coneyned in every such statute, shall bee extended to all Stewards, Bailifes, and other ministers, and officers of liberties and franchises having returnes of writtes, and execution thereof, in like maner as they extend to Shirifes, under Shirifes &c. as if the sayde Bailifes, Stewards &c. had bene particularly named in such Statutes. Saying that the sayde Stewards, Bailifes of franchises, their deputies or Clerkes may occupie their offices aboue one yeere, vz. for so long time as they be given to them. 27. H. 8. 24.

Where the Queen cometh her courts shall be kept within franchises.

2. The Queenes Maestie, her Steward, Marshall, Coroner, and all her ministers, shall and may keepe their Courts for Justice, & execute their offices as shall appertaine to them according to y^e lawes, customes and statutes of this realme, in all places within this realme, as well within liberties and franchises, as without; within the verge accustomed to her Court. Where her highnesse in her owne person shall come to rest or abide. And the Queenes Clerke of the market, and none other during the same time, as well within liberties as without, shall exercise the office of the Clerke of the market notwithstanding any priuiledge, graunt &c. But this statute shall not be prejudiciall to the liberties of the Citie of London. 32. H. 8. 20.

Clerke of the market.

Amerciament for insufficient returnes by Bailifes of liberties.

3. The amerciaments for insufficient returnes of writtes or other proces made by Stewards or bailifes of liberties, having returne of writtes

of writtes and execution of the same, shalbe let vpon the heads of such Stewards or bailifes, not vpon the Shirifes. 27. H. 8. 24.

1 That the Queenes purueior may take any vitailles within franchises, S. Purueiors. 23.

2 That no person hath franchise or auctoritie to pardon felons, or appoint Iustices, but the Q. onely, S. Prerogatiue. 17.

3 That the Queene shall haue the fines & amerciaments forfeited by Bailifes and Stewards of franchises. S. Prerogatiue. 20.

4 That Lords of liberties shall appoint two or iii. expert men to search and seale lether. S. Lether. 25.

5 That the Q. may seise a franchise for default of pursuit, or arresting off felons, S. Felonie. 34.

6 That the lord of a franchise where goods be shewed in a fayre or market, vpon dayes prohibited, shall haue the same goods, S. Payres. 2.

7 In whose name all writtes, Indictments & proces made within any libertie, & in whose name the Teste of the same shall be awarded, S. Prerogatiue. 18.

8 For the executing and returning of writtes in franchises, S. Returnes. 3. 6. 7. 8.

9 What persons, and of what sufficiencie shall be returned by bailifes of franchises to enquire of Riots, S. Riots. 13.

10 In what time Bailifes of franchises shall array assises and deliuer the Copies, S. Assise. 8.

11 That the Shirife may not enter into any franchise to execute their precept, which be Commissioners, to enquire of the decay of Tillage, S. Shirifes. 24.

12 Where the Shirife shall make his precept to a Bailife of a franchise, and where he himselfe shall deliuer cattell impounded, S. Shirifes. 30.

Fraudulent deedes, Giftes &c.

All and euery feoffement, gift, graunte, bargaine, alienation and conueyance of lands, tenements, hereditaments, goods, cattels, or of any lease, rent, common, or other profite or charge out of the same lands, hereditaments, goods, &c. or any of them by writing, or otherwise, and all and euery hoorde, suite, iudgement, and execution at any time had or made, sithence the beginning of our soueraigne Ladie Queene Elizabeths reigne, or at any time hereafter to bee had or made, which haue bene, and are deuised, and contriued of malice, fraude, couin, collusion, or guile, to the intent &c. to delay, hinder, or defraude Creditors, and others of their iust and lawfull accions,

S. ii,

suits,

Fraudulent
deeds to avoid
other mens
dueties, be
vopde.

Fraudulent deedes, Giftes &c.

sutes, debtes, accomptes, damages, penalties, forfeitures, barriots, mortuaries or relieves, shall be taken and deemed onely against that person, his heires, executors, successors or assignes, whose actions, sutes, debtes, accomptes, &c. by such guylefull or fraudulent deedes, deuises, practises, are, shall or mought bee in any wise hindered, delayed, or defrauded, to bee cleerely voyde and of none effect, any colour, sayned consideration, expressing of ble, or other matter to the contrary notwithstanding: But this statute shall not extende to any estate in lands, leases, goods &c. assured vpon good consideration, and Bona fide to any person or persons, bodies politike or corporate, not hauing at the time of such conueyance &c. any knowledge of such fraude, collusion &c. 1. R. 2. 9. 2. R. 2. 3. 13. Cl. 5. 14. Cl. 11.

Parties to
fraudulent
deedes.

2 **C** All the parties to such sayned or fraudulent seffement, gift, grant, alienation, bargayne, conueyance, bond, suit, iudgement, execution &c. or being priuie or knowing of the same, which shall wittingly & willingly put in vze, auowe, maintayne, iustifie, or defend the same, or any of them, as true, simple, and done or made Bona fide, and vpon good consideration, or shall alien, or assigne any the lands, tenements, goods, leases &c. to them conueyed, or any part thereof, shall for. to the D. &c. & the P. griued by such fraudulent seffement, gift, bond, suit &c. one yeeres value of the said lands &c. leases, rentes, or other profits, and the whole value of the sayd goods and cattels, and so much money as shall be contained in such coupnous and sayned bond, to bee recovered by A. J. &c. wherein no W. &c. C. P. &c. And being thereof lawfully conuicted, shall suffer imprisonment one halfe yeere, without bayle or mainprise. 13. Cl. 5. 14. Cl. 11.

Common re-
coueries.

3 **C** But common Recoueries had against tenant in tayle or other tenant of the free hold of landes, the reuerſion or remainder, or right of reuerſion or remainder whereof then shall bee in any other person, shall as touching such person, and his heires which hath the reuerſion or remainder, be of like force, and none other, as the same should haue bene if this Act had not bene made; and no estate or conueyance, by reason whereof any person shall be any vouchor in any writte of Formedon, shall be made voyde by this Act: But every such vouchor in any writte of Formedon, shall be of like force, as if this Act had not bene made. 13. Cl. 5. 14. Cl. 11. to continue vntill the end of the next Parliament.

Vouchor in
formedon.

1 For fraudulent deedes made by an Ecclesiasticall person, to defeaite his successors of their remedie for dilapidations. S. Dilapidations. 1.

2 That fraudulent conueyances made by Fugitiues shall be voyd against

against the Queene, S. Fugitiues. 4.

3 For fraudulent conueyances to defeate the Lord of his warde, mariage or reliefe, S. Wardes. 1. 2. 14.

4 For fraudulent conueyances made of any Abbey, Chauntrie, Colledge, or free Chappell lands, S. Monasteries. 4. 9. 26.

5 For Collaterall and fraudulent assurances made of landes to the vse of any Church, Chappell &c, S. Mortmaine. 8.

6 For fraudulent conueyance to defeate the Queene or any other of any beuefire that may arise vnto them by the stat. of 23. El. 1. S. Sacraments. 15.

Freehold.

Whosoeuer doeth constrain any person to appeare before the Councell of a Loyde, Ladie, or any other, to answer for his freeholde, or any thing touching his freeholde, or for any other thing reall or personall, which belongeth to the law of the Realme in any maner, shall forfait to the Queene xx. li. 15. R. 2. 12. 16. R. 2. 2. No man shall distraine his freeholder, to answer for his freeholde or any thing thereunto belonging, without the Durenes writte, nor shall cause his freeholder to sweare agaynst his will, for that no man can do without the Durenes commandement. 5 2. H. 3. 22.

Fuell,

Al Talwood, Billet, Fagot, and Coles to bee made or put to sale within the Cities of London and Westminster, or in the suburbs of the same, shall keepe the assises following, v3. every sacke of coles shall containe iiii. bushels of good and cleane coles. And euery Talshid shall containe in length iiii. foote beside the carse. And euery Talshid named of one, to containe in greatnesse within a foote of the middest xvi. ynches about. And euery Talshid named of ii. to contayne in greatnesse within a foote of the middest xxiii. ynches about. And euery Talshid named of iii. to containe in greatnesse within a foote of the middest xxviii. ynches about. And euery Talshid named of iiii. to containe in greatnesse within a foote of the midst xxxiii. ynches about. And euery Talshid named of v. to containe in greatnesse within a foote of the midst xxxviii. ynches about. And euery Billet to containe in length iii. foote and iiii. ynches. And euery Billet named a single, to containe vii. ynches. vi. about. And euery Billet named to be a cast, to containe x. ynches about. And euery Billet named of ii. cast, to containe xiiii. ynches about. And euery Fagot bed to containe in length iii. foote, and the bond of euery such fagot, to bee of xxxiii. ynches about besides the knot. And it shalbe lawfull for euery owner,

Fuell. Fugitiues over the Sea.

ry owner, without danger of any forfaiture, to make Billets of two castes. And all Billets of two castes to be made and put to sale, shall be of the assise herein contained or more, and shall be marked onely within vi. ynches of the middelt thereof. And euery Billet of one cast to be made and put to sale, shall bee onely marked within foure ynches of the ende thereof, vpon payne that euery maker and euery seller that shall make any such fuell or Coles, and put the same to sale, to forfait for euery shid of Talwood, Billet, Fagot, or sacke of Coles put to sale, lacking of the assise aforesayde, iii.s.iiii.d. to the Queene and J. to be recouered by A.B.D.J. wherein no W.C.D. 7.Ed.6.7.

None shall buy
fuell, but such
as wil burne
or retaille the
same.

2 ¶ No person or persons shall buy any fuell, Coles or wood, but onely such as will burne or consume the same, or such persons as shall sell the same againe by retaille, to such as shall burne or consume the same for their owne occupping without fraud or couin, or Wharfingers or Bargemen, vpon paine to forfait to the Q. and J. treble value of all such wood, coles and fuell, as shall be otherwise bought for any lucre againe, to be recouered by A.B.D.J. wherein no W.C.D. And no person or persons shall alter any marke or assise of any of the sayde fuell, marked or lised according to this statute, vpon paine of like forfaiture as is abouesayd. 7.Ed.6.7.

Altering the
marke or assise
of fuell.

The forfeit and
penaltie.

3 ¶ No person or persons shall peeld, ne forfait any penaltie herein contained, vnles Accion or suite bee commenced for the same, within one whole peere next after the offence thereof committed. And if any cutter or maker as aforesaid, or other that shall forfait any summe herein conteyned, shall not be able to peeld such forfaiture or summe as is aforesayd, then such person thereof conuicted by witnesses or otherwise, to be set on a pillorie in the next market towne to the place where he shall so offende, by a Iustice of peace, or any other of the Queenes officers, at xi. of the clocke vpon the Market day, with a billet or fagot bounden to some part of his bodie, and so to be discharged of the said forfaiture. 7.Ed.6.7.

What woods shall not be conuerted to fuell for the making of Iron. S.Wood. 26.

Fugitiues over the Sea.

Departing the
Realme withs
out the Queenes
licence,

¶ Whosoever passeth out of the Realme without the Queenes licence, (except Lords and great men of the Realme, and true and notable marchants, and the Queenes Souldiers) shall forfait to the Queene all his goods. And the master or mariner of the Ship, or of the vessell in which he shall carrie beyonde the Sea any person, (but onely such as be before excepted,) without the Queenes licence,

an

and is thereof conuicted, shall forsayte to the Queene his sayd vessel. And if the Sercher or Warden of any port or passage doe through negligence, or in other maner suffer wittingly any person to passe forth of the Realme (other then is before excepted) or any golde or siluer in money, bulleon, plate, or vessel to be caried forth of the Realme, and is thereof conuict, he shall forsayte to the Queene his office, and all his goods, and be imprisoned a whole yeere. 9. Ed. 3. 10. 5. R. 2. 2. See there, that no licence ought to be made to passe forth of the Realme, but onely in one of the Portes of London, Sandwich, Dover, Southhamton, Plimmouth, Dertmouth, Bristolwe, S. Botelph, Kingston vpon Hull, Newe castel vpon Tine, and the other portes and passages towards Ireland, and the Isles pertayning to the Realme of England.

Out of what
port ech man
ought to passe
forth of this
Realme.

2 ¶ If any subiect bozne within the Queenes Dominions, or free denizen of this Realme, hath sithence the first day of the Queenes raigne passed, or hereafter during the lyfe of our soueraigne Lady Queene Elizabeth shal passe out of any her graces Dominions at any place whatsoeuer, into any Countrey of any forraigne Prince or gouernour, without the Queenes speciall licence, by wytyng vnder the great Seale, priuie Seale or priuie Signet, and doeth not returne into the Realme of England, and there yeld his bodie to the custodie and ward of the Shirife of the Countie where he shall arrive, or to some of the Queenes priuie Counsaile, within fixe Monethes next after Proclamation made by the Queenes Maiestie vnder her great Seale, for the returne of his body, he shall forsayte to the Queene the whole profites of all his landes and hereditamentes during his life, whereof he is seised of any estate of freeholde or inheritance in his owne right or his wiues, and also all his goods and catels, And all the Ecclesiasticall promotions of euery spirituall person so offending shalbe utterly voyd, and the Patron may present to the same as though the Incumbent were dead &c. But this Act shall not extend to any knowen Marchant of England, Ireland, or the Dominions of the same, or to any of their knowen seruants, apprentices, or factors, or to any knowen masters of ships, mariners, Saylorers or Gunners, concerning their departure out of the same without licence, into any forraigne dominion, for their onely trade of merchandise, so that such marchant, seruant, mariner &c. shal not or haue not attempted any thing contrarie to the duetie of his allegiance, or to the prejudice or perill of the Queene, or the state of any of her dominions, and shal yeld his body vpon Proclamation for his returne.

Departing the
Realme, and
not returning
vpon warning

Spirituall
persons.

Fugitiues ouer the Sea.

For. for not
returning, his
licence being
expired.

In what sort
the Queene
may vse fugi-
tiues landes.

Restitution
vpon submit-
tion.

Fraudulent
gifts made by
fugitiues, be
void against
the Queene.

The grauntee
of fugitiues
landes shal vpo
request declare
the considera-
tion.

3 **T**he like forfeiture shall he make which at any time liethence the first day of the Queenes raigne hath departed, or during y^e Queenes life shall depart out of any of her graces dominions by her licence into any fozeine countrey, and doth not returne and yeld his bodie as is aforesaid, within vi. Moneths next after the expiring of the time appointed by such licence, if he shalbe at his owne liberty and not restrained, or not licenced for a further terme. 13. El. 3. And in both these cases during the time that the Queene shall haue the profits of the said fugitiues lands &c. she may let, set, and make graunts by Copie of Court rolle, vsuall woodsales, and other things to all intents and purposes, as a tenat Pur terme dauter vie lawfully may do. 14. El. 6. But if any offendor that hath forfeited the profite of his lands will repent him of his offence, returne againe into England, yeeld himselfe to the shirife of the shire, or to any one of the Queenes priue Counsell, acknowledging his fault, submitting himselfe to the Queenes obedience, and fully reconcile himselfe to true religion established within this Realme, declaring his reconciliation to the Bishop of the Dioces, and shewing the same openly by comming to diuine seruice appointed, and receyuing the holy communion, then after one yeere expired, he bringing to the Lord Chauncelour or keeper, a certificat from the Bishop of the Dioces, and the Curat of his Parish, of his vnfained reconciliation, shalbe restored to all his landes, and the profits thereof from thenceforth to be due. 13. El. 3.

4 **I**f any of the foresayd fugitiues do by couin and fraud, make, cause, or suffer to be made any conueyance &c. of his landes &c. or any gift, graunt or other deuise of his goods and cattels, to the intent and vpon priue confidence, that the profits thereof may be imployed in such forme, and to such vices as he shall appoint, and that be found by office to be by couin &c. the said conueyances, gifts and deuises shalbe (as touching the Queenes interest and against her grace) utterly voyd. And she shall haue the said landes, goods, &c. as if the Offendor were thereof actually seised or possessed, Sauing to all other persons their heires, assignes and successors (other then to the sayde fugitiues and their assignes) all such right, title, interest, commoditie &c. as any of them shall haue in the said landes before the departing or not returning of such person. 13. El. 3.

5 **I**f any person to whom any estate, graunt, lease, or other conueyance is, or shalbe made by any fugitiue, of any landes, goods, &c. doe not within iii. moneths next after Proclamation made in the Queenes name, vnder the great Seale in any Countrey where the same landes &c. doe lie, truely declare vpon his othe, either before the
Queenes

Queenes Commissioners for that cause aucthorised, or before the Barons of the Eschequer, or some of them, to what vse and intent such estates, graunts, and conueyances were made, according to the trueth without concealment, he shal forfeite to the Queene xx. li. and also be imprisoned during her pleasure. And if any person being sent for to be examined by the Barons of the Eschequer, or by Commissioners aucthorised vnder the great seale, to inquire of fugitiues lands and goods, shall not appeare at the day and place to him appoynted, hauing no lawfull excuse to the contrary, or after apparance shall depart without licence of such as haue power to examine him, or shall refuse to answer to such interrogatozies as shall bee ministred vnto him, touching fugitiues landes, or goods, and the circumstances and dependants of the same, then he shall pay vnto the Queene such fine for the said contempt, as shalbe assessed by such before whom the sayde examination should be made. 13. El. 3.

6 ¶ If any person by reason of his conscience departeth out of the Realme without licence, or hauing licence, taryeth after the time appointed by Proclamation be expired, And did not before nor after his departure, conspire, and by open Acte declare any euill minde to the Queene, her estate or quiet gouernement: Then the Lorde Chauncelor or Keeper, vpon petition made, shall appoynt for the maintenance of his wife and children or any of them a reasonable portion of his landes, not vnder the fourth part, nor aboue the thirde, of the lands forfe. to the Queene by this act, during the life & absence of the fugitiue, so that the sayde Fugitiue did not make sufficient conueyance and prouision for them before, by the iudgement of the Lord Chauncelor or Keeper. 13. El. 3.

Provision for
a fugitiues
wife and child-
ren.

7 ¶ If any noble man being a peere of this Realme, doe depart the Realme, whose departure shall not bee contrary to the lawes and statutes of this Realme, then he shall not incurre any paynes or forfeiture provided by this act, vntill he be commanded by the Queenes letters, vnder her priuie Seale or signet to returne, And after such warning do not repaire into this Realme, according to the tenour of the same letters within viii. Moneths after the deliuerie of such letters vnto him, or if such letters shall not be deliuered vnto him, so as he may well returne within viii. Moneths after the sending thereof, then vntill he do returne within other viii. Moneths next after Proclamation made, as is aboue appointed. And if any such Noble man, which shall so depart out of this Realme, and which doeth not before his departure nor after, practise or deuise any thing agaynst the Royall person of the Queene, or the quiet estate of any her Dominions,

Noble m^{en} des-
parting the
Realme.

Fustians. Gold, Silver, & Goldsmiths.

doe returne into this realme, and yeeld himselfe to it. of the Queenes priuie Counsell, acknowledging his offence, then he shall bee from thenceforth restoyed to all the rents and profites of all his landes and hereditaments, which from thenceforth should growe due vnto the Queene by reason of this act, and then the Queenes title to the profits of his lands by vertue onely of this Act, shall cease. 1 3. El. 3.

1 That an English man sworne subiect to a forraine Prince, shall pay all impositions as a stranger, S. Custome. &c. 1 2.

2 That none shall depart for any Conuocation or assembly for religion beyond the sea, S. Conuocation, 3.

Fustians,

*Entraine
fleights used
vpon Fustians.*

Whosocuer doeth vse Irons on Fustians vnshorne, wherewith to breake off the nappe and cotten of the same, or any Instruments, or other vnttrue subtill meane, or sleight, vpon any Fustian within this Realme, but onely the broade sheares, shall forfeite for euery default xx. s. to the Queene and Informer, to be recouered by A. J. &c. wherein no W. &c. C. P. &c. The Maior and Wardens of Sheremen of London, may enter and search the workmanship of all persons occuppying the broad Sheare, as well Fustians, as cloth. 11. H. 7. 27.

Gold, Silver, and Goldsmithes,

*Melting of
Gold and Sil-
uer, And selling
the same.*

If any Finour of Gold and Silver, or partor of the same by fire or water, doeth alay any fine Silver or Golde, or doth sell the same in any other wise, or to any other person, but onely to officers of Mints, Changes, and Goldsmithes within this Realme, for augmentation, and amending of Coyne and Plate, (the sayde Officers and Goldsmithes answering for the same as it is worth,) Or if any finour or partor doeth sell to any person whatsoever, any manner of Silver in masse moulted and alayed, or if any finour of Silver doeth not put his seuerall marke vpon his fine Silver, he so offending shall forfeite the same Golde or Silver or the value thereof to the Queene, and him that proueth the same. All fine Silver which is parted and fined, must be made so fine that it may beare xii. d. waight of alay, and yet it will be as good as starling. 4. H. 7. 2.

*The finesse
of Silver.*

*Melting or al-
laying of Silver*

2 **I**f any Goldsmith melt or alay any fine Silver, to be for any workes or other intent, but onely for making of Amels for diuers workes of Goldsmithrie, and for amending of Plate to make it as good as starling or better, he shall forfe. the same Silver or the value thereof to the Queene and him that proueth the same. 4. H. 7. 2.

3 **I**f any Goldsmith, Jeweller, or other that worketh harness of

of Siluer within the Citie of London, doeth set any of them to sale within the same Citie before it be touched with the Touch, and also signed with the workemans marke, knowen to the wardens of the same mysterie, or doeth sell any workmanship of siluer without it bee as fine as the starling, (except it need Sowder, which shall be allowed according as the same is necessarie to be wrought) he shall forfeite the double value thereof. 2. H. 6. 4.

Harnais of siluer shall be touched and marked.

4 ¶ If the keeper of the Touch, doth touch any harnais of siluer with the Leopards head, which is not as fine in alay as the starling, he shall forfeit the double value of the siluer so touched. 2. H. 6. 14.

Harnais as fine as the starling.

5 ¶ If any Goldsmith, worker of siluer, or keeper of touches in the Cities of Yorke, Newe Castell vpon Tyne, Lincolne, Norwich, Bristowe, Salisburie or Couentry (which haue diuers touches) doe set to sale, or touch any siluer in other maner then is before ordeyned for London, the offendor shall forfeite double the value &c. 2. H. 6. 14.

6 ¶ If any Goldsmith, or other worker of Siluer within the Realme of Englande, where no touch is ordeyned, doeth worke any siluer, except it be as fine in alay as the starling, hee shall forfeite the double value thereof. And euery such Goldsmith or worker of Siluer, must set his signe or marke vpon the same, before he put it to sale. 2. H. 6. 14.

working of siluer not so fine as the starling.

7 ¶ Whosoever gildeth any sheathes or mettall but siluer, and the ornaments of the Church, or layeth any siluer vpon any mettall, but onely vpon Knights spures, and the apparell which belongeth to a Baron; or one aboute the estate of a Baron, shall forfeite to the Queene tenne times so much as the thing gilt is of value, and shall also be one yeere imprisoned. 8. H. 5. 3. But artificers may worke ornaments of the Church of Copper and Latten, and gild or Siluer the same, so that in the foote or other part, the Copper and Latten bee plaine, that a man may see whereof it is made. 5. H. 4. 13. And whosoever doeth gild any Siluer ware other then of the alay of the English starling, shall forfeit to the Queene the value thereof. 2. H. 5. 4.

Gilding.

8 ¶ No Goldsmith making white vessell, shall meddle with gilding, nor any vsing gilding shall make any white vessell, vpon paine of forfeit of the value of the vessell so made or gilt. 37. Ed. 3. 7.

None shall make borth white vessel and gild.

9 ¶ If any Goldsmith doeth suffer any vessel of Gold or Siluer to depart from him before it be assayed by the wardens of the same mysterie, and touched with the Leopards head, or doth set any stone in gold, except it be naturall, he shall be imprisoned and make fine at the Queenes pleasure. 28. Ed. 1. 20.

Vessel of siluer and gold shall be assayed and touched. No stones shall be set in gold but such as be natural.

Gunnies and Crossebowes.

The finesse of
Goldsmithes
wares of gold.

Itt. b. an ounce
for gold besides
the fashion.

The finesse of
goldsmithes
wares in sil-
uer.

The goldsmith
shall set his
marke to his
worke.

Wardens al-
lowing faulcie
ware.

Keeping of
shooting in
gunnes.

10 **N**o Goldsmith shall worke, sell, exchange, or cause to be wrought, sold, or exchanged any Plate or other Goldsmithes wares of Gold, lesse in finesse then that of xii. Carottes, & shall vse no So-ther, Amell, nor other stuffings whatsoeuer in any of their workes more then is necessarie for the finishing of the same, nor shall take a- boue the rate of xii. d. for the ounce of Golde (besides the fashion) more then the Buyer shall or may be allowed for the same at the Queenes Exchange or Mint, vpon paine to forfait the value of the thing so sold or exchanged, to the Queene and partie grieved, to bee recovered by A. J. & c. wherein no W. & c. E. P. & c. 18. El. 14.

11 **N**o Goldsmith shall make, sell, or exchange in any place within this Realme any plate, or Goldsmithes wares of Siluer, lesse in finesse then that of a xi. ounces two penny waight, nor take aboue the rate of xii. pence for euery pounce waight of Plate or wares of Siluer (beside the fashion) more then the Buyer shall or may bee allowed for the same at the Queenes exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmithes worke of Sil- uer, before he hath set his owne Marke to so much thereof, as conue- niently may beare the same, vpon paine to forfeite the value of y thing so sold, or exchanged, to the Queene and partie grieved, to be recou- red by A. J. & c. wherein no W. & c. E. P. & c. 18. El. 14.

12 **I**f any Goldsmith shall make any Goldsmithes worke or Plate, and the same shalbe touched, marked and allowed for good by the Wardens or Masters of that mysterie, and in the same there shall be found any falsehood or deceit, then the Wardens and Corpora- tion of that mysterie for the time being, shall forfait and pay the value of the thing so exchanged or sold, to the Queene and partie grieved, to bee recovered by A. J. & c. wherein no W. & c. E. P. & c. 18. El. 14.

1 That there shalbe no more giuen for coyned Golde or Siluer, then it is currant by Proclamation. S. Money. 1.

2 That Gold or siluer may not be deliuered to any Alien, S. Mo- ney. 2.

3 That no man shall transport Gold or Siluer, S. Money. 3.

4 Who may weare any Ornament of Golde, and who not, S. Apparell. 4. 5.

Gunnies and Crossebowes.

If any person do shoote in any Crossebowe, Handgunne, Dagbut, or Demihake, or keepe any of them in his house, or else where, except he or some other person to his vse, hath in his owne or in his wiues right, landes, tenements, fees, annuities, or Offices to the yearly value

value of C. li. he shall forf. for every offence x. li. to the Q. & J. to bee recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

2 **E**very person which shall shoote in, carrie, keepe, vse, or haue in his house, or else where, any handgun, other then such as shall bee in the stocke and gunne of the length of one whole yard, or any hagbut or demyhake, other then such as shall be in the stocke and gunne of the length of iii. quarters of a yard, shall forsaite for every offence x. li. to the Q. and J. &c. And every person hauing landes, fees, annuities, or offices to the peerely value of C. li. may seise and take every such handgunne, hagbut, and demyhake, being of shorter length, then is before limited, from the Offendor, and also every Crossebowe from any person not hauing landes, offices &c. to the value of C. li. by peere, and retaine the same to his owne vse, which handgunne, hagbut and demyhake, he which seisseth them, must breake within twentie dayes after seisure, or else he shall forsaite for every of them x. li. to the Q. and J. &c. to bee recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

The length of a handgunne, hagbut, demyhake.

Who may take the gunne or Crossebowe from the offender.

2 **W**holesoener shall cary or haue in his iourney on foote or horsebacke any Crossebow bent, or gunne charged, or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre, other then such as haue landes, annuities fees, or offices, to the peerely value of C. li. shall forsaite for every offence tenne pounde to the Q. and J. &c. to bee recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

Carrying a Crossebowe bent or gunne charged.

4 **W**he that doth shoote with a handgunne, demyhake, or hagbut, at any thing at large, within a Citie, Borough, or Market Towne, or within a quarter of a mile of either of them, except it be at a butte or banke of earth in a place conuenient, or for the defence of his person or house, shall forsaite for every shoote tenne pounde to the Queene and J. &c. 33. H. 8. 6. And if any person vnder the degree of a Lord of the Parliament doth shoote in a Handgunne in a Citie or Towne, at any marke vpon a Church, house, or douecote, hee shall forsaite for every offence tenne pounde, and be imprisoned three Moneths. 2. Ed. 6. 14.

Shooting in a citie or market town at a thing at large.

5 **W**holesoener doeth commaund any of his seruants to shoote in a Crossebowe, handgunne, hagbut, or demyhake, of the masters or other persons, at any Deare, Fowle, or other thing, except it bee at a Butte, or banke of earth, or in time of warre, shall forsaite for every offence, tenne pounde to the Queene and Informer, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. But if the Queene doe not commence her suit within one peere, and every other person within halfe

The maker commaunding his servant to shoote.

Gunnes and Crossebowes.

halfe a yeere next after the offences committed, for any penaltie or forfeiture to any of them giuen by this statute, they shall bee excluded of their actions and suites, and the offender clearly discharged. 33. *W. 8. 6.*

Euery man
may arrest an
offendour.

6 **I**t is lawfull for euery person to arrest, or attach any person, which he seeth or findeth offending contrary to the effect of this act, and to bring him to the next Justice of peace in the same countie, which Justice vpon due examination and prooffe, may commit the offender to the next gaole, there to remaine vntill he hath payed such penaltie, as he hath for. by this statute, of which penaltie the Queene shall haue the one halfe, and the saide bringer the other. 33. *W. 8. 6.* See Iustices of peace. 44.

Who may
keepe or shoote
in gunnes.

7 **B**ut it is lawfull for all gentlemen, yeomen, and seruing men of euery Lord, and of all Knights, Esquiers, and Gentlemen, and to all the Inhabitants of Cities, Boroughes and market Townes of this Realme of Englande, to shoote with any Handgunne, Demihake or Hagbut, at any But or banke of earth, onely in place convenient for the same, so that euery of them be of the seuerall lengthes aforesaid and not vnder. And it is lawfull to euery Lord, Knight, Esquier and Gentleman, and the inhabitants of euery Citie, Borough, and market Towne, to haue and keepe in euery of their houses any handgunne, of the length of one whole yard, or any hagbut or demihake of the length of threc quarters of the yard, and not vnder, to the intent to shoote with the same at a Banke of earth, or But onely. And euery person which dwelleth in any house, being distant two furlongs from any Citie, Borough, or Towne, may keepe in his house for the onely defence of the same, Handgunnes, Hagbuts, and Demihakes of the seuerall lengthes aforesaide, and not vnder, and may vse to shoote in the same, at any Butte or Banke of earth, neere to his house and not otherwise. And euery person appoynted by the Q. to keepe or receiue any Crossebowes or Handgunnes forseynted, or taken within the precinct of her Forrestes, Parkes or Chases, may lawfully retaine the same vntill her further pleasure bee to him declared. And the makers of Crossebowes, and Handgunnes may lawfully keepe Crossebowes, Handgunnes, Hagbuts, and Demihakes, in their houses, and shoote in the same onely for assaying of them at a Butte or Banke of earth in place convenient, and not otherwise, so that the same be of the seuerall lengthes aboue limited. And it shall be lawfull to such persons and their seruantes which bee charged by the statute of 4. and 5. *W. 1. 1.* and 9. to finde any Hagbut, to shoote at such lawfull markes as be herein specified, or at their owne proper games,

games, so that they carry not, or vse not the same Harquebut in any high way, except it be coming or going to or from the musters, or marching towards, or from the defence of the Realme. 33. Hen. 8. 64. 4. and 5. P. & P. 2.

8. **T**his act shall not extende, or bee prejudiciall to any marchants hauing any Crossebowes, handgunnes, hagbuttes or demphakes to sell, and to none other vse; so that the same be of the seuerall length aboue limited, and not vnder. Neither shall it extende to any of the Queenes subiects, whose houses be not aboue five mile distant from the Sea coasts, or which be inhabiting within xii. miles of the Borders of Scotlande, or which be inhabitants of the Isles of Gerssey, Gernesey, Anglesey, Wight, and Man. But it is lawfull for euery of the sayd inhabitants to haue, and vse their handgunnes, hagbutts and demphakes of the lengths abouesayde within the sayde limits and Isles, so that it be at no Deare, Shoueler, Pheasant, Partridge, wilde Swaine, or wilde Elke. Neither shall this act extende to any owner of any Shippe, for hauing or keeping of any Handgunne, hagbut, or demphake of the seuerall lengths aboue expressed, or vnder, only to be had and occupied within any their ship or other vessel, or for the carriage and recarriage of them on land, or keeping them, for the onely exercise of them within their said Shippe or vessel. Neither shall this act bee prejudiciall to any seruant or person that shall bende, beare, carrie, charge, vse, or assay any Crossebowe, handgunne, Demphake, or Hagbut of the lengths aforesayde; by the commaundement of his Lord or Master, so that he do not shote at any Fowle, Deare or other game. Nor to any such seruant or person, that shall beare or carrey any Crossebowe, Handgunne, Hagbutte or Demphake of the lengths aforesayde to any place by the commaundement of his Lord or Master that may shote, to bee repayed, amended, deliuered or assayed; so that the same seruant or person haue readie to shewe to euery person requiring the sight thereof, one licence in wytyng, Sealed or subscribed by his saide Lord or Master, to carry the same Crossebowe &c. to be amended, assayed, or deliuered. 33. H. 8. 6.

To these persons this stat. extendeth not.

9. **I**f any person obtaine of the Q. her heires or successors any Placard, Licence or Bill assigned to shote in a Crossebowe, Handgunne, Hagbutte, or Demphake, contrary to the purport of this act, then there shall be conteyned therein at what beastes, or other foules he shall shote, or els the same Placard &c. shall be voyde. And euery such person before he doth shote, shall be bounde in the Chauncerie in Recognisance in xx. pound to the Queenes vse, that he shall not shote at

Gunnes & Crossebowes. Hattes & Cappes.

at any other beasts or fowles, then is specified in his Placard, licence or bill assigned. And all Placards, licences and billes made to any person not bound shalbe void. 23. H. 8. 6.

Haileshoote.

10 **C**Whosoever shall shoote in any place, any Haileshoote or more peilets then one at one time, shall forfeite tenn pound, and bee imprisoned thre moneths. 2. Ed. 6. 14.

The names presented of those which shoot in gunnes.

11 **C**All persons aucthorised to shoote, or otherwise, are bound vnder the paine of xx. s. a shoote in any Handgunne, or halfebake, to present their names to the next Justice of peace of y^e Shire, if he dwell in the country, or to the Maior or head officer, if he dwell in a towne corporate, to the intent the Clerke of the peace may keepe a Booke of the names of all such, that the Queene may knowe howe many able persons she hath in eche countie for that service, and the Justice, Maior, and head officer are bounde in the like paine to receiue their names. 2. Ed. 6. 14.

Where, in what case, and in what maner it shalbe lawfull for a gunner to take an apprentice, S. Labourers, 30.

2 The punishment of a gunner which taking prest wages to serue the Queene, departeth from his Captaine, See Felonie. 23. Mariner. 1.

Hattes, Cappes.

Wearing of Cappes vpon holy dayes.

Every person aboue the age of vi. yeeres inhabiting and abiding within any of the cities, boroughes, townes, villages or hamlets of this Realme, shall vse and weate vpon the Saboth and holy day (vntlesse in time of his trauell out of the said Cities, Townes &c.) vpon his head one Cap of wooll, knit, thicked, made and dyessed in England, and onely dyessed and finished by some of the science of Cappers, vpon payne of xof. for euerie day not so wearing, iii. s. iii. d. (except maydens, Ladies, and gentlewomen, all noble personages, euerie Lorde, Knight, and gentleman of the possessions of twentie marke lande by peere, and their heires, and such as haue bozne office of worshippe in any Citie, Borough, Towne, Hamlet, or Shire, and such as haue bene wardens of the worshipfull companies of London.) 13. El. 19.

Persons excepted.

Child, servant, or ward offending.

2 **C**If any childe, seruant, or warde aboue the age of vi. yeeres, and vnder xxi. shall offende contrary to this statute, his Parent, Gardein, Gouvernour, or master, with whome he shall remaine, or dwell, shall forfeite the penaltie aforesaid, 13. El. 19. S. Justice of peace. 45. Lectes. 12.

None shall work hats, but which haue bene pientice.

3 **C**Whosoever doth by him selfe, or any other, make or worke any felt or hat, of, or with any forein wooll, or stufte, (vntles such person

son hath first bene apprentice, or couenant seruant to the mysterie of felt or Hatte making, by the space of seven yeres at the least) shall forf. all such hattes or feltes which he shall make or worke, and v. li. for euery moneth that he shall so continue. But euery person that was a maker or worke of hattes at the time of making the stat. may so continue during his life, though he were not bound prentice for vii. yeres. 8. El. 11. And whosoever doth by him selfe, or by his seruant or apprentice, worke any feltes, or thymmed hattes, or occupie the mysterie of making of feltes or thymmed hattes within the Citie of Norwich, or countie of Norfolk (vnlesse he bee admitted so to doe by the Maior, Recorder, Steward and two Iustices of peace of the said Citie, or by iiii. of them, or that he hath bene apprentice to the same occupation by the space of seven yeres; or doeth make any hattes or feltes, or occupie the mysterie thereof in any place out of the Citie of Norwich within the County of Norfolk, but onely in a corporate or market towne) shall forf. the same feltes or hattes, and also x. s. for euery halfe dozen of them made contrary to the statute. But if the Maior, Recorder, Stewarde, or Iustices of peace of the Citie of Norwich, take any reward for admitting any person to occupie the said art, he shall forf. for euery offence v. li. to the D. and J. to be recovered by Accion, Information &c. wherein no W. &c. P. or forreine plea &c. 5. Ed. 6. 24.

Making hats
in Norwich &
Norfolk.

4. Whosoever shall make, sell, or cause to be made or solde any cappe, or other thing of felt but onely hattes, or shall make, sell or &c. any Cappe, of wollen cloth not knitte, or shall dye or &c. any cappe with Barke or Swarte, but onely with Copoyas and Gall, or with Moad and Madder, or shall thicke or full in a mille, any Cappe vntill the same be first well scowped and closed vpon the banke, and halfe thicked at the least in the footestocke, shall forsaite for euery offence x. s. to the D. and J. vling cap making, wherein no W. &c. P. &c. 8. El. 11.

Cappes of felt
or of wollen
cloth not knitt.

Dying, thick-
ning or fulling
of cappes.

5. If any man vnder the degree of a Knight, or a Lordes sonne, doth weare any hatte or vpper cappe of Veluet, or couered with Veluet, he shall forsaite x. s. to the D. & J. vling the feate of cappe making, wherein no W. &c. P. &c. 8. El. 11.

Veluet hattes
or cappes.

6. If any maker or worke of hattes, doth take aboute two apprentices at one time, or doeth take thole for any lesse time then seven yeres at the least, he shall for euery apprentice so taken, be one moneth imprisoned in the common Gaole without baile or mainpryse, and bee from thence forreuer disabled to haue any more apprentices then one at a time, & also such taking of apprentice is voyde. But this

How many
apprentices
Hatters may
take.

Hattes and Cappes,

shall not charge any felt or hatmaker for setting a worke his owne children in his owne house. &c. 8. El. 11.

The prices of
wollen caps,
and hats made
beyond the sea.

7 **C** Whosoever selleth any wollen cappe or bonnet made in any partes beyonde the sea, aboute the price of ii. s. any hatte aboute x. d. any single crowned wollen cappe, or single woollen nightcappe made beyonde the sea, aboute sixe pence, shall forfait for every cappe, hatte and bonnet so solde, fourtie shillings to the Queene and Informer, to be recovered by Accion, Information &c. wherein no W. &c. C. P. &c. But the buyer or wearer of any such bonnet, hatte, or cappe, may lawfully detaine the same, without seisure or other forfeiture. 21. H. 8. 9. 1. P. 11.

Customs payd
for hats and
cappes.

8 **C** If any wollen bonets, hats, or cappes made beyond the sea, be brought from any partes beyond the sea, into any of the Queenes dominions, the owner thereof or his servant shall bring them to the Customer of the Citie, Port, place &c. where they shall be layed on lande, or discharged, and there enter into the customers bookes the custome for them, and pay the same, as by the lawes and statutes of this Realme he ought to doe, or els he shall forfait them of the value of them. 1. P. 11.

Cappes and
hattes solde
by the custo-
mer and chiefe
officer of the
Towne.

9 **C** If he which bringeth any such Hats or Caps from beyonde the Sea, will carrie any of them away from the place where they be layed on lande before they be solde (according to the prices limited in the statute. 21. Hen. 8.) by the Customer of the Port &c. and the chiefe officer of the Towne, Port &c. where they bee laide on lande, he shall forfait for every hatte or cappe remoued or otherwise solde xl. s. to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 1. P. 11.

The Customer
shal giue notice
of the hattes &
cappes to the
Mayor &c.

10 **C** If the Customer, or his deputie of the Citie, port, haven or creeke, where such bonets, cappes or hats shall be brought into any of the Queenes dominions, from any of the parties beyonde the sea, doe not within two dayes after the entrie of the same cappes or hattes in his bookes giue notice of the same to the Mayor, Sheriffes, Bailiffs or other chiefe Officers of the sayde Cities or portes, he shall forfeite his office. 1. P. 11.

The Customer
& chiefe officer
shall sell the
hats & cappes
brought from
beyond the
Sea.

11 **C** The Customer of the said haven or port, or his deputie, with the Mayor or his assigne, or chiefe officer of the place where Cappes or hats brought from beyond the sea shalbe laid on lande, in the presence of the owners (if they will be present, or els in their absence) shall sell the said caps, hattes, and bonets to such persons as will buy them (so that they sell not above a dozen to one person) at such prices as is limited (21. H. 8. 9.) and not above, and shall deliuer the money to the owners

owners of the same hattes at such time as they will receiue the same. And if any Customer or Maior, chiefe officer &c. shalbe remisse or negligent to make sale, hee shall forfeit twenty pound to the Queene and Informer, to be recouered by Action Information &c. wherein no W. &c. E. P. &c. i. p. ii.

12 ¶ If any person by fraude, couin, collusion, or colour, doth buy, or bargain for any more hattes or cappes (being made out of the Realme) at one time, or of one man, then one dozen, hee shall forfeit for euery cappe or hat so bought fourtie shillings to the Q. and Informer, to be recouered by Action Information &c. wherein no W. &c. E. P. &c. i. p. ii.

No man shall buy above xii. hattes or caps

13 ¶ If any of the Queenes subiectes borne vnder her obeysance, (except Lords and Knights) doth buy any hattes or cappes made & ready wrought in any part beyonde the sea, he shall forfeite for euery such Cappe and Hatte fourtie shillings to the Queene and Informer, to be recouered by Action Information &c. wherein no W. &c. E. P. &c. 3. p. 8. 15.

Buying of hattes or caps wrought beyonde the sea.

14 ¶ If any Capper, Hatter, or other person doeth sell, or put to sale any hattes or cappes made within this Realme, without they bee sufficiently wrought and of a sufficient colour in euery point after the goodnesse and finesse of the wooll whereof they bee made, he shall forfeite for euery hatte or cappe so solde five shillings eyght pence. 3. p. 8. 15.

Cappes shalbe well wrought and coloured.

15 ¶ If any Hatter, Capper or other person by himselfe or any other to his vse, will take of any of the Queenes subiectes for any hatte of the best making not ingrained aboue ii. s. or for any Cappe made of the finest Lemster wooll aboue iii. s. iii. d. or for any Cappe made of the seconde sort of Lemster wooll aboue ii. s. vi. d. or for any cappe made of the third sort of Lemster wooll aboue x. d. or for any cappe made of the fourth sort of Lemster wooll aboue xii. d. Or for any cappe made of the finest sort of Cotswold wooll aboue ii. s. or for any cappe made of the second sort of Cotswold wooll aboue xvi. d. hee shall forfeit for euery Hatte and Cappe, (for which hee shall take more) xl. s. to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But caps and hattes of other wooll shalbe solde, as the buyer & seller can agree. 3. p. 8. 15.

The prices of hattes & caps.

16 ¶ The Cappe made of the finest Lemster wooll, shalbe marked in the lining with the letter L. the Cappe of the second sort of Lemster wooll with L. R. The Cappe of the finest Cotswold wooll with the letter C. The Cappe of the seconde sort of Cotswold wooll with C. R. 3. p. 8. 15.

The markes of cappes.

Haukes.

1 That Hatmakers, dwelling in Norwich, may buy middle Vffe yarne to make hattes with. S. Yarne.

Haukes.

Taking hauke
of Haukes
egges out of an
others grounds

Whosoever doeth wrongfully by night, or day, take away any Hauke or Haukes, or the egges of any of them, out of the woodes or ground of any person (not hauing lawfull authoritie or licence so to doe) and thereof is lawfully convicted at the suite of the D. or P. griued, shall pay to the partie griued his treble dammages, suffer imprisonment by the space of thre moneths, and then find sufficient suertie for his good abearing for the space of vii. yeeres after, or els remaine in prison untill hee hath found suerties. 5. El. 21. S. Iustice of peace. 34.

How ech man
shall vse the
hauke which
he taketh by.

2 **W**hosoever findeth a Faucon, Tercelet, Laner, Laneret, or other hauke which the owner thereof hath lost, shall immediatly bring the same to the Sherife of the County, which shall make proclamation in all the good townes of the county, that hee hath such a hauke in his custodie, and if the owner which lost the Hauke, or any of his seruants come to chalenge it, and proueth it, that it is his masters, he shall pay for the costs and haue it. And if none do come within foure Moneths to chalenge it, then the Sherife shall haue the Hauke, agreeing with him that tooke it by, if hee bee a simple man, and if hee bee a gentleman and of estate to haue a Hauke, then the Sherife shall deliuer him the Hauke, taking reasonable allowance for the keeping thereof. And whosoever taketh a Hauke, and the same concealeth from the owner, or from his Fauconers, or taketh away a Hauke from the owner, or stealeth a hauke and carryeth it away, not obseruing the foresayde ordinances, and is thereof attainted, shall be vsed as a felon which hath stolen a horse or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

Taking the
eggs of haukes
or Swannes.

3 **W**hosoever doeth take or cause to bee taken upon his owne ground, or any other mans, the egges of any Faucon, Goshauke, Laner, or Swanne out of the nest, shall be imprisoned a yere and a day, and make fine at the Queenes pleasure. 11. H. 7. 17.

The taking,
scaring & kil-
ling of hauks.

4 **W**hosoever taketh any Citer, Faucon, Goshauke, Cassel, Laner or Laneret, in his warren, woods, or other place, or purposely driuech them out of their couerts, accustomed to breed in, or causeth them to goe to other couerts to breed in, or killeth them for any hurt by them done, shall forfeite tenne pound to the Queene and Informet 11. H. 7. 17.

The bearing of
English hauks

5 **W**hosoever doeth beare any Hauke of the breed of Eng- gland,

gland, called a Myesse, Goshaue, Cassel, Laner, Laneret, or Faucon, shall forf. the same to the Q. 11. H. 7. 17.

6 **¶** Whosoever bringeth any Myesse, Hauke, and haukes, from any partes beyonde the Sea, must bring a certificat vnder the Customs Seale of the Port where he first landed with the same Hauke, &c. And he that commeth forth of Scotland, then vnder the Seale of the warden or Lieutenant of the March which hee came through, testifying that the same Haukes be of the partes beyonde the Sea, or Scotlande, or els he shall forsaite to the Queene the same haukes. 11. H. 7. 17.

Bringers of haukes from forren regions shall bring a certificat.

11 **¶** That echeman may haue Eiries of Haukes, within his owne woods, which be within any Forest. S. Woods. 24.

21 **¶** That no person shall hauke where any eared or codded corne shall be standing. S. Fesants. 4.

Hauens and Riuers.

1 **¶** If any person doeth cast or vnload, out of any ship, Crayer or other vessel being within any Hauen, Rode, Channell, or Riuer, flowing or running to any Port Towne, or to any Citie, Borough or Towne, within any of the Queenes dominions, any balast, Rubbish, Grauell, or other wycke or filth, but onely vpon the lande, aboue the full sea marke, he shall forsaite for euery offence five pound to the Queene and Informer, to be recouered by Accion J. &c. wherein no W. &c. E. P. &c. 34. H. 8. 9.

No rubbish shall be cast into any hauen, Rode, Channell, or Riuer.

2 **¶** Whosoever fasteneth to any postes, botes, an cres, or like things any maner of nets ouerthwart any Riuer, there to continue, shall forf. for euery offence v. li. 2. H. 6. 15.

Fastening nets ouer Riuers.

Hempe, Flaxe.

1 **¶** Whosoever doeth water any Hempe or Flaxe in any Riuer, running water, Streame, Brooke, or other common ponde where beastes be vsed to be watered, but onely on the grounde, or pits for the same ordeined, or els in his owne seuerall pondes, shall forsaite for euery offence xx. s. to the Q. and P. griued, or J. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 17.

Watering of hempe & flaxe.

2 **¶** Every person inhabiting in any countie or place within this Realme, hauing lx. acres of arable land or pasture apt for tillage (in which countie, or part of countie, the Queenes Maiestie by Proclamation made sithence the Parliament holden in the fiftie peere of her Reigne, or hereafter to be made, hath or shall publish it to be commonious for the common wealch, to sow flaxe or hempscede) shall

Sowing of hempe and flaxe seedes.

Herons, Hexam and Hexamshire.

peerechly solwe in seasonable tyme one whole acre or lesse, as by the sayde proclamation shall be appointed; with hempleede, or flaxe seede, vpon paine of forsaiture of v.li. for euery default. 24. P. 8. 4. 5. Cl. 5.

Herons.

Taking of olde
Herons.

If any person without his owne grounde, doth kill, take, or cause to be taken, any Herons by meanes of any craft or engin (without it bee with Hawking or long Bowe,) he shall forsaite for euery Heron so taken or killed vii.s. viii.d. to the Q. and J. to be recovered by A. of debt, wherein no W. &c. E. P. &c. 19. P. 7. 11.

Taking pong
Herons.

If any person without his owne grounde, doeth take any pong Herons out of the nest, without licence of the owner of the ground where the sayde nest is, he shall forsaite for euery Heron so taken out of the nest x.s. to the Queene and J. to bee rec. by. A. of debt, wherein no W. &c. E. P. &c. 19. P. 7. 11.

Hexam and Hexamshire.

The territorie, franchise, and libertie of Hexam and Hexamshire, with the liberties of the same, may be, is, and shall be taken to bee within, and part, parcell, and member of the Countie of Northumberland. And as well the pleas of the Crowne, as all suites betwixt partie and partie, may proceede and haue their due ende and triall within the saide countie of Northumberlande, by and befoze the Sherife and Coroners of the sayde shire, and also befoze the Iustices of peace, Iustices of Sayle deliuerie, Iustices of Assise, Nisi prius, oier and determiner, and other officers, and ecche and euery of them; as the case shall require, and take effectes, as any of the like haue bene or ought to be, which haue happened or shall happen within the sayde countie of Northumberland. And the Sherife and other officers of the Countie of Northumberland for the tyme being, haue full power and authoritie to execute his or their office, and all processe to him or them directed within Hexam and Hexamshire, and liberties of the same, in as ample and large maner, as hee or they may, shoulde, or ought to doe, within any other part of the sayde Countie of Northumberlande, any graunt, priuiledge, custome &c. notwithstanding. Sauiug to the Bailife of the liberties, or other officers of the sayd towne of Hexam and Hexamshire, or the liberties thereof, all liberties and priuiledges for executing of proces, retorne of writtes, and other wise as they or any of them, of right ought to haue, befoze the making of this act. 14. Cl. 13.

High

The Constables and Churchwardens of euery parish within this Realme, shall perely vpon the Tuesday or Wednesday in Easter weeke, call together a number of the Parochians, and then shall chuse two honest persons of the Parish to bee Surueyors for one yeere, of the woorkes for the amendment of the high wayes in their Parish, leading to any market Towne, the which shall order and direct by their discretions, the persons and carriages appointed for those woorkes, And if any of the persons so named to be Surueyors wil not take vpon him the execution of the sayde office, hee shall forf. x. s. 2. & 3. p. & p. 8.

Surueyors for
the amendment
of high wayes.

2 **T**he Constables and Churchwardens shall then also appoint vi. dayes for the amendding of high wayes before the Natiuitie of Saynt John Baptiste, and shall openly in the Church vpon the Sunday after Easter, giue knowledge of the same sixe dayes. And euery person hauing a Draught or Plow, which doeth not sende and finde at euery day & place appointed for the amendding of high wayes in that Parish, one waine or cart furnished after the custome of the countrey, with Oxen, Horses or other Cattell, and other necessaries meete to carry thinges conuenient for that purpose, and also two able men with the same, for euery plowe lande in tillage or pasture that he hath, shall forfayte for euery draught making default. x. s. 2. and 3. p. & p. 8. 5. Cl. 13.

vi. dayes for
the amendding
of wayes.

Ech man
charge for a
plowe land.

3 **I**f any of the carriages of the Parish shall not bee thought needefull by the Surueyors to bee occupied vpon any of the sayde dayes, then such person as shoulde haue sent carriage, shall sende for euery carriage so spared, two able men there to labour for that day, vpon paine to forfeyte for euery man not sent xii. d. 2. & 3. p. & p. 8. 5. Cl. 13.

Two men in
steade of a car-
riage.

4 **I**f any Householder, Cottiger or Labourer of the Parishes, Cottiger, hauing no Plough or Draught able to labour, and being no hired seruant by the yeere, doeth not by him selfe, or one sufficient laborer for him, vpon euery of the sayde sixe dayes, woork in the amendment of the high wayes, hee shall forfayt for euery day making default xii. d. which persons and carriages shall bring with them Shouels, Spades, Mattookes, and other tooles, and doe such woork as they be appoynted vnto by the Surueiours, by the space of viii. houres in euery of the said dayes (except they be otherwise licenced by the same Surueyors or one of them) 2. & 3. p. & p. 8.

Necessary
toolles.

5 **I**t is lawfull for euery Surueiour, for the amendding of the wayes within the Parish where hee is Surueiour, to take and carry away

High wayes.

**Taking of o-
ther mens
rubbish.**

**Gathering of
stones.**

**Digging for
grauell.**

**Places not
lawful to dig
in.**

**The Surueior
shal stoppe the
pitte againe.**

**Turning a wa-
ter course into
any mans
ground.**

**Fences and
ditches nere
vnto high
wayes.**

**Presentment
of the offences**

away so much of the Rubbish or smallest broken stones which he shall finde ready digged in any Quarrey, being within the Parithe where hee is Suruepour, as by his discretion shall bee adiudged necessarie for the amending of the wayes, without licence, controulment, or impeachment of the owner. And for default of a Quarrey not founde in the Parithe, or of rubbish not founde in such Quarrey, it is lawfull for enery such Suruepor to gather stones vpon any landes, or groundes within the Parith, meete to bee vled to such purpose, and likewise to digge or cause to be digged for grauell, sande, or sinder for the sayde vble in the seuerall grounde of any person, where the same is like to bee found within the Parith where hee is Surueiour, and nigh adioyning to the way where such reparations shall bee thought necessary (so that it be not in the house, gardein, or charde, or medowe of any person, nor aboue one onely pitte in any seuerall and inclosed ground, which pit shal not be in bredth or length aboue tenne pades ouer at the most,) and if the Suruepor which shall cause such pitte to bee digged, doe not within one Moneth after such digging cause the same to bee stopped vp with earth at the costes of the Parithioners, he shal forfait to the owner of the soyle where the pit is made, five Markes, to be recouered by A. of debt. 5. El. 13.

6 ¶ It is lawfull for every Superuifour in the Parith where &c. to turne a watercourse or Spring of water being in any high way, and very noisome to the same, into any ditch of the seuerall ground of any person or persons next adioyning to the said high way, in such maner, as by the discretion of the sayde Superuifour shal be thought most meete. 5. El. 13.

7 ¶ The hayes, fences, dikes, or hedges, next adioyning on either side to any high way, shall from time to time bee diked, skowped, repaired, and kept low, and all trees and bushes, growing in the high wayes cut downe by the owners, whereby the sayde wayes may bee open, & people may haue more ready and easie passage, vpon paine that euery person committing any offence to the contrary, shall forfait for euery default x. s. 5. El. 13, 18. El. 9.

8 ¶ The Surueiour which doeth not within one moneth next after any offence committed by any person, contrary to the purport and true meaning of any Article aforesayde, present euery such offence to the next Iustice of Peace, shall forfait for euery such offence not presented fortie shillings. And if the same Iustice of peace doe not certifie the same presentment at the next generall Sessions within the same Countie, hee shall forfait five poundes. 5. Eliz. 13. to continue from 12. Januarii, An. Do. 1562, for twentie yeeres, and from thence

thence to the ende of the Parliament then next holden.

9 **I**f the Bailife or high Constable of any Hundred, Rape, Lathe or wapentake, to whom the Steward of any leete or lawday, or in default thereof, the Clerke of peace shall make & deliuer the estretes indented of all fines, forfeitures, & amercements presented before him or them, cannot find any sufficient distress of any persons offending contrary to the puruew of any article aforesaid, or if the said offender shall obstinately refuse to pay the said amercement, fine, or forfeiture, & doth not pay the same within xx. dayes after lawfull demand of the same by the said Officer, then he shall forfeit double þ summe that he should haue payed. 2. & 3. P. & M. 8. 5. El. 13. S. Leetes 13. Justice of peace. 69.

Refusing to pay the forfeiture.

10 **I**f the Bailife, or head Constable doe not once euery yeere betwixt the first day of Marche and the last day of Aprill, make a true accompt, & payment of all such summes of money (to the Constables and Church wardens of euery Parish, wherein the offence was committed, or to two of them) which he shal haue collected vpon any of the foresaide estretes, he shall forfeite for euery time not so doing xl. s. 2. & 3. P. & M. 8. 5. El. 13.

Constables accompt.

11 **T**he Church wardens of euery Parish may cal the Bailife and head Constable to accompt before the Iustices of peace or two of them, whereof one to be of the Quorum, by bill, J. or otherwise, which Iustices haue auctoritie to take the accompt, and to commit the said Bailife or head Constable to prison, vntill he shall pay all such arrearages as shal be adiudged by the said Iustices, & the fines, forfeitures, and amercements due for any offence contrary to the purport of this stat. shalbe to the Church wardens, to be bestowed about the repaire of the wayes of the said Parish. But the Bailife & head Constable vpon his accõpts shal haue allowed for euery pound he shal collect & pay, viii. d. for his owne paines, & xii. d. for the fees of the Clerke of the peace, or Steward of the Leete, for the estretes indented of euery seuerall Parish that he shall deliuer. And the successours of Church wardens shall haue the like accion of Accompt against their predecessours, as is before appointed against the Bailifes. 2. & 3. P. & M. 8. 5. El. 13.

The head Constable called to accompt.

Church wardens accompt.

12 **E**uery person (except such as shal dwel in the Citie of London,) that shalbe assessed to the payment of any Subsidy to þ Queenes Maiestie to v. li. in goods, or xl. shillings in landes or about, during all such time as he shall stand so assessed and not altered, and being none of the parties chargeable for the amendement of high wayes, by any former law, but as a Cottager, shall finde two able men perely to labour in the high wayes, at such dayes and times, as are before limited and appoynted, 18. El. 9.

The charge of eche person being v. li. in goods or xl. s. in landes.

13 **E**uery

High wayes.

Having a
plough land in
seuerall pari-
shes.

13 **E**uery other person that shall occupie a plough lande in til-
lage or pasture, lying in seuerall Parishes, shall bee chargeable to the
making of the wayes within the Parish where hee dwelleth, as farre
forth and in such maner, as any person hauing a plough lande in any
one parish is, or ought to be chargeable by reason of the sayde former
statutes, or either of them. 18. El. 9.

A man hauing
seuerall plough
lands in seuer-
all parishes.

14 **E**uery person keeping in his handes seuerall plough landes
in seuerall Townes, shall be charged to finde in eche Towne or Parish
(where the said plough lands do lie) one cart, waine, Tumbrel, dung-
pot or Court, Sleads, Carres or Draggages, furnished for repairing
of high wayes, within the seuerall parishes where the said plough lands
do lie, in such maner as if he were a Parishioner dwelling within the
parishes where the same seuerall plough lands doe lie. 18. El. 9.

Ditching and
scouring.

15 **E**uery person that shall occupie any lands adioyning to any
high way, where any ditching or scouring ought to bee, shall from time
to time as neede shall require, ditch and scoure in his ground so adioy-
ning, whereby the water conueyed from the sayde high way ouer the
ground next adioyning may haue passage ouer the said ground so next
adioyning to that ground, vpon paine of forfeiture for euery tyme so
offending for euery Rod not so ditched and scoured xii. d. 18. El. 9.

Casting of soil
into the way.

16 **N**o person hauing any ground by lease or otherwise, adioy-
ning to any high way leading to any Market Towne, shall cast or
scoure any ditch and lay the soile thereof into the high way, and suffer
it to lye there by the space of vi. moneths, to the annoyance of the said
high way, vpon paine of forfe. for euery load of soyle so cast &c. xii. d.
And where any soile hath bene so cast into the high way that there is a
banke betweene the sayde way and the ditch, it is lawfull to the Sur-
ueyors and workemen to make Slewoes or other deuises by their dis-
cretions, to conuey the water out of the saide way into the ditch, any
law or vsage &c. notwithstanding. 18. El. 9.

Slutes to con-
uey the water
into a ditch.

Howe the pe-
nalties shalbe
leuied.

17 **E**uery penaltie forfeited for any cause within this statute,
shall be leuied in Euery Parish by the Surueyors of the waies within
that Parish by distresse, & sale of distresse, in maner as fines & amerco-
ments in leetes haue bene vled, And the mony so leuied shalbe employ-
ed vpon the high way where the offence was committed. And if the
Surueyors shal not, or will not leuie and employ the same within one
yeere after the offence so committed, then the said forfe. shalbe leuied in
forme aforesaid, by the Constables or Churchwardens of the towne or
parish where the work ought to be done in the hie way. And he or they
so leuying any of the sayd penalties or forfeitures, shall make such ac-
compt as is appointed in the befoze recited Statutes. 18. El. 9.

18 **T**he high wayes leading from one market Towne to another, shalbe enlarged there where any wood, hedges, or ditches be, so that there shalbe no ditch, wood, or bush, where he that doeth lewdely may escape, within **CC.** foote of the high way, on the one side, & **CC.** foot on the other (but this statute extendeth not to alhes or great trees.) And if any robberies be done by default of breaking downe ditches, underwood and bushes, the Lord shall answer therfore, and if it be a murder, the Lord shalbe punished at the Queenes pleasure, and if the Lord be not able to cut down the underwood, the Countrey shal helpe him. And within the Queenes demesne woods within forrestes and without, the wayes shalbe enlarged as before &c. And if any Parke be neere vnto the high way, the Lord thereof shall diminish it by the space of two hundredeth foote from the high waye, or else make such a wall, ditch, or hedge, that Offendours cannot go forward or backward to doe any hurt. Winchester. 13. Ed. 1. 5.

The wayes
shall be **CC.**
foote broad.

1 For the repairing of high wayes at the endes of Bridges. See Bridges. 7.

Homage and Fealtie.

NO person shall paye in the Queenes Eschequer, or any other Courts for the respite of Homage, of, or for any manors, landes, tenements, or hereditaments, whereof the cleare peerele value exceedeth not v. li. aboue viii. d. and for the entring thereof and warrant of Atturney, aboue iiii. d. 33. H. 8. 22.

Respite of
homage.

2 **W**hen a free man shall doe homage to his Lord of whome he holdeth in fee, he shal hold his hands together betwene the hands of his Lord, & shall say thus. I become your man from this time forward, for life, for member, & for worldly honour, and shal owe you my faith, for the landes that I holde of you, sauing the faith that I doe owe to our Soueraigne Ladie the Queene, and to mine other Lords. 17. Ed. 2.

The forme of a
free mans
Homage.

3 **W**hen a free man shall do fealtie to his Lord, he shall hold his right hand vpon a booke, and shall say thus. Heare you my Lord. R. that I. B. shalbe to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I holde of you, and lawfully shall doe such customes and seruices as my duetie is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A free mans
fealtie.

4 **W**hen a villaine shall doe fealtie to his Lord, he shall holde his right hand vpon the booke, & say thus. Heare you my Lord A. that I. B. from this time forth vnto you shalbe true, and faithfull, and shall owe you fealtie, for the land that I holde of you in villenage, and shalbe iustified by you in bodie and goods, so helpe me God. &c. 17. Ed. 2.

A villaines
fealtie.

5 **I**f the heire of any which holdeth his landes of his Lord by knightes

The Lord shall
not haue
wardship, vnto
till he hath taken
homage.

Honie, Hornes & Horners.

knichtes seruice, be within age, his Lord shall not haue the warde of him, nor of his lande, before he hath taken of him homage. Magna Charta. 9. H. 3. 3.

Honie.

Vessels of honie
marked
with two let-
ters.

The content of
euery vessell of
honie to be sold
S. Wines. 16.

Corrupting of
honie.

Counterfeiting
of markes of
marking with
an others
marks.

All Barrells, Kilderkins, and Firkins filled with Honie by the maker and filler, shalbe marked with two letters standing for his name and surname, eche letter of an ynche and a halfe of length at the least, burnt vpon the head of the Caske with a hotte yron, vpon the paine to forfeit. vi. s. viii. d. for euery barrell, Kilderken, Firken, or Caske, solde or offered to be solde, & not so marked. And if any person or persons do or shall fill and sell, or cause to be filled or solde, or offered to be solde any barrell, kilderken, or firken with Honie, for, or in the name of a barrell, kilderken or firken, containing lesse then xxxii. wine gallons the barrell, xvi. wine gallons the kilderken, and viii. wine gallons the firken, Euery person and person so offending, shall forfeit. for euery halfe gallon so lacking, v. s. And euery person and persons, that shall corrupt the honie so solde, or to be solde, with any deceitfull mixture, shall forfeit. the barrell or vessell, and Honie therein contained, to the King, and 1. 23. Eliz. 8.

2 If any person or persons, shall at any time hereafter counterfeite any the markes aboue mencioned, or shall sett to the marke, or markes of any other person or persons, without the consent of the same person or persons, whose names the saide markes shall signifie: euery such offender in the premisses, shall forfeite for euery such default v. li. the one moitie to the Queene &c. and the other to the partie deceived, if he will sue for the same, or otherwise to any other person or persons, that shall sue for the same by B. A. or J. in any of the Queenes Courts of record, wherein no E. P. or W. shalbe admitted, &c. And for non sufficiencie of payment thereof, to be set on the Pillorie, in the next market towne to the place where such offence shall be committed, and suffer three moneths imprisonment, without bayle or mainprise, for euery offence committed contrary to this article of this present Act. 23. Eliz. 8.

Hornes and Horners.

The Wyzners
of London
may search all
hornes within
xiiii. miles
thersol.

The Wardens of the mysterie of Wyzners in London, may search all maner of ware belonging to their Mysterie wrought within London, or within xiiii. miles thereof, And also they may searche Sturbridge and Elpe Faire, and if by their search they finde any ware in any of the foresaid places defective and insufficient, in whose hands soeuer it be, to sell, they may take the same ware, and bring it before the Maior of London, or the Maior or Bailifes of the said Faires, and the

the same being there proued defectiue, shalbe forfeited to the Queene and the said Wardens. 4. Ed. 4. 8.

2 ¶ If any stranger by himselfe, or any other doeth buy any English Hoznes, vnwrought; gathered, or growing within London, or foure and twentie miles thereof on euery side next adioyning, or if any Englishmā, or other person doth sell any English Hoznes vnwrought to any stranger, or cause them to bee sent ouer the Sea, so that the Hozners of London will buy the sayd Hoznes at like prices (as they were at when this statute was made) hee shall forfeite al the Hoznes so bought, solde, or sent ouer, to the Queene & the Wardens of the Hozners. But after men of the occupation of Hozners within this realme, haue chosen out such & as many hoznes, as shalbe needfull to their occupation: Then it shalbe lawfull to euery person to sell and deliuer al the hoznes refused, which be not able to bee occupied in their Mistry, to any stranger; or other person to carpy beyond the Sea, or els where. 4. Ed. 4. 8.

The Hozners of London haue the choise of English hoznes.

After London Hozners be serued, strangers may buy some.

Horses, Mares.

E Uery person aswell Spirituall as Temporall, hauing any Parke or grounde inclosed with hedge, ditch, wall, or pale, in his owne hande, wherein any Deare is vsually kept for game, conteyning the quantitie of one mile in compasse, & is thereof seised in fee simple, fee taile, or for terme of life, in possession to his owne behoofe. And euery Farmer of eutery such Parke and ground, being letten to farme, shall keepe for euery such Parke or grounde inclosed, so long as the same shalbe vled or kept with Deare in the same for game, two Pares being not splayed, apt & able to beare Foles, eche of them of the height of iiii. handfulls at the least, to be measured from the lowest part of the hoofe of the forefoote, vnto the highest part of the shoulder, and euery handfull to containe iiii. ynches of the standard. And euery owner &c. or Farmer of a Parke which is iiii. miles in compasse or aboue, shall keepe iiii. such Pares &c. vpon payne of forfeiture of xl. s. for euery moneth lacking the said Pares, to the Q. & J. to bee recovered by A. J. &c. wherein no W. &c. C. p. &c. But if any of the said Pares shall die by casualte, & the owner doe prouide another of the foresaid height, within iii. moneths next after the death thereof, he shall not incurre the penaltie of this statute. This statute shall not charge the owners of any Parkes or groundes inclosed lying in Westmerlande, Cumberlande, Northumberland, or the Bishopricke of Durham, to keepe any Pares, neither shall it charge any other person, the herbage of whose Parke &c. is common to the inhabitants of the Townes next adioyning. 27. H. 8. 6.

Owners and farmers of Parkes, charged to keepe Pares.

Horses and Mares,

Mares shall
not be covered
with Cottes,

2 **I**f any Lord, owner or farmer of any Parke or ground inclosed, appointed by this act to keepe Mares, will willingly suffer any Mare to be covered with any litle Horse, or Ragge of smal stature or value, he shal forfeite xl.s. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 27. P. 8. 6.

The height of
Horses fees
ding upon the
common in
certaine shires

3 **W**hosoeuer doeth put to pasture, into, or vpon any Forrest, Chace, Mooze, Parish, Heath, common or waste ground, any stoned Horse, being aboute the age of two yeeres, and not being of the height of xv. handfuls, to be measured from the lowest part of the hooft of the foreshote, vnto the highest part of the withers, (and euery handfull to containe iiii. ynches of the standard) to pasture, feede, or be in, or vpon any of the sayd Forrestes, Chaces, Commons, &c. within any of the Shires & Territories of Northfolke, Suffolke, Cambridge, Buck. Hunting. Essex, Kent, Southhamshire, Northwillshire, Oxford, Bark, Worcester, Gloucester, Somerset, Northwales, Southwales, Bedford, Warwick, Northampton, Northfolke, Cheshire, Stafford, the Countie of the Citie of Yorke, the towne and liberties of Glouc. the Countie of the Towne of Kingston vpon Hull, the Countie Palentine of Lancaster, the Countie of Salop, Lecester, Hereford, Lincoln (except it bee vpon any of the Parish, or Seggie Fennie grounds within the Counties of Cambridge, Huntingdon, Northampton, Lincoln, North. Suff. or within the Isle of Elie) shall forfeit the saide Horse. And whosoever doeth put to pasture vpon any of the foresaide Parishes, or Seggie Fennie groundes in the sayd last excepted Shires or places, any stoned Horse aboute the age of two yeeres, not being of xiii. handfuls high, to bee measured in forme aforesaid, shall forfeit the said Horse. 8. El. 8. 32. P. 8. 13.

The height of
Horses fees
ding vpon the
common in all
other Shires.

4 **W**hosoeuer doeth put to pasture any stoned Horse aboute the age of two yeeres, not being xiii. handfuls high, to bee measured in forme aforesaid, vpon any forest, chace, common &c. being within any other Shire of this Realme, then is first before specified, shall forfeit the same horse. But no person shalbe preiudiced by this statute for the hauing or putting any Horse to feeding vnder the heighes aforesaid, vpon any common or waste ground where Mares or Fillies are not used or suffered to bee kept. Nor for any stoned Horse of his which shal dnce in a yeere escape or breake out of his feuerall ground against his will, into any Forrest, Chace, Common, &c. so that the sayd horse doeth not remaine there iiii. dayes next after sufficient & open notice giuen at his house, or publication made on a Sunday, or festiuall day in the parish Church where he dwelleth. 32. P. 8. 13.

Horses beas-
ting forth, or
put where no
Mares be.

Seizure and
measuring of a
Horse not of
lawfull height.

5 **W**hosoeuer findeth any Horse in any Forrest, Chace, Com-
mon,

mon, moore, marish, heath, or waste ground, contrary to this statute, shall goe vnto the keeper of the Forrest, Chase, &c. or his Deputie, or to the Constable, Bailife, Headborough, Burtholder, or Tithingman of any Towne next adioynning vnto the place where the sayd Horse is, and commaunde or require him in the Queenes behalfe, to goe with him to bring such Horse there feeding to the next pounde, and there the Horse shall be measured by the Officer, in the presence of three or ther honest men by the sayd Officer appointed, and if it be founde that the said Horse is contrary to this statute, then he that doth so chalenge and seise him, may take and retaine him to his owne vse, as his owne goods and cattels for euer, without vexation, suite, or trouble of the owner. 32. H. 8. 13.

6 ¶ If any of the said keepers, deputies, bailifes, constables, burtholders, or tithingmen, or iii. persons requested to be at the measuring of the said horse, do refuse to do as aforesaid, or doe not truely measure such horse, then euery of them refusing to doe, or not doing his duetie therein, shall forfeite xl.s. to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. &c. 32. H. 8. 13.

Refusing to
measure a
horse not of
lawful height.

7 ¶ If the Lords, owners, or possessors of Forrests, and Chases, or their Officers, or the Constables, Headboroughs, Bailifes, Burtholders, and Tithing men, within whose Offices, precincts, and limits, the commons, moores, marishes, heathes, & waste groundes being out of Forrests and chases, do lie, doe not yerely at the feast of saint Michael tharchangel, or within xv. dayes after, effectually driue the saide Forrests, Chases, Commons, Moores &c. the said Officers &c. Bailifes, Constables, Headboroughs &c. shall forfeite for euery time the saide dist. shall be omitted, xl.s. And it is lawfull for the said Lords, owners, &c. and for the said Constables, Bailifes &c. within the limits of their offices, to make like dist of the said Forrests, chases, commons, moores, marishes, heaths, and waste groundes at any other time of the yeere, when, and as often as they shall thinke meete. 32. H. 8. 13.

Distes of for-
rests, commons,
heaths.

8 ¶ If in any of the said distes there shall be found any Mare, filly, fole, or Gelding that shall be thought not able, or like to growe able to beare foles of reasonable stature, or not able, or like to growe able to do profitable labours, by the discretion of the driuers or the more number of them, then the same driuers shall cause the same beasts to be killed, & y^e bodies to be bestowed where no annoyante shall growe. 32. H. 8. 13.

Unlikeli
Cittes shall be
killed.

9 ¶ Whosoever shall haue, or put to pasture any Horse, Gelding, or Mare, infect with scab, or mange, into, or vpon any Forrests, Chaces, Moores, Marishes, heaths, commons, wast groundes, or comon fieldes, shall forfeite for euery Horse, Gelding, or Mare so infected x.s. to the

Infectd horse
les.

Lord

Horses and Mares.

Lord of the Leete, where the offence shalbe presented. 32. H. 8. 13.

Keeping of
horses by rea-
son of degree
of living.

10 **C** Every Archbishop and Duke of this Realme, shall haue, keepe, and maintaine of their owne proper horses, and at their owne costes, vii. stoned trotting Horses for the Saddle, (being neither Cart nor Sumpter horses) every of the same Horses to be three yere olde & byward, and in height xiii. handfuls (reckoning to every handfull iiii. ynches of the stäverd) to be measured from the nether part of the heare of the hooft vnto the vpper part of the wydersons or shoulders. Every Marques and Earle, and every Bishoppe whose Bishopricke is of the yerely value of a thousand pound or above, shall finde & maintaine five stoned trotting horses for the Saddle, of the age & height aforesaid &c. Every Bishop whose Bishopricke is of the yerely value of a thousand Markes, or above, and every Vicount and Baron hauing landes, tenements, fees, annuities, or offices, for terme of his life to the cleere yerely value of a thousand markes or above, shall finde and maintaine iii. stoned trotting horses &c. And every other Bishop, Vicount, and Baron not before mencioned, and also every other spiritual person hauing benefices or promotions to the yerely value of 500. markes, and every temporall person hauing landes, tenements, fees, annuities, or offices for terme of his life, in his owne right, or in his wiues to the yerely value of 600. Marks, shall keepe and maintaine ii. stoned trotting horses for the Saddle, vpon payne that every person aforesaide lacking the number of the said Horses to him limited, shall forsaite for every horse so lacking by the space of iii. moneths xx. li. to the D. & T. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 5.

Keeping of
Horse by rea-
son of the
wiues apparel

11 **C** Every other spirituall person vnder the degree of a Bishop, hauing benefices or promotions to the cleere yerely value of a C. poundes or about, and not to the yerely value of h. hundredth markes, and every other person temporall not before mencioned, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Pericote of silke, or any Veluet in her kirtell, or in the lining or other part of her Gowne (other then in the cusses or purples) or any French hood, or Bonet of Veluet with any habiliment, paste, or edge of golde, pearle, or stone, or any chayne of golde about her necke, or in her partlet, or in any apparell of her bodie, shall haue, keepe and mainteine as is aforesayde, one stoned trotting horse for the Saddle, vpon paine of forf. for every tyme that any of them shall want by the space of three moneths one stoned trotting horse of the age and height aforesaide x. li. to the D. & T. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But heires within age being wardes, whose landes, tenements, and hereditaments amount

to the yerely value of CC.li. shall not be compelled by this Act, vntill they come to their full age, to keepe any hozes, although their wiues weare any Gowne of silke, or any French hood, or bonet of Veluet with any habiliment, paste, or edge of Gold, Perle, or Stone, or any chaine of gold about their necks in their Parcleys, or in any apparell of their bodies. 33. H. 8. 5. And euerp person chargeable by this statute by reason of his wiues apparell to keepe a stoned trotting hozse, shall also keepe and mainteine one Gelding able and meete for a light hozseman, with sufficient Harneis and weapon for the same, in such maner, as he that may dispende one hundred markes by the peere, is chargeable to keepe. 4. & 5. H. 8. 2. S. Armour. 3.

12 ¶ If the sonne and heire apparant of any Duke, Marques, Earle, Vicount, or Baron, or of any other person hauing lands &c. to the peerely value of vi. hundred markes or aboue, hath landes, tenements, hereditaments, fees, offices, or annuities, for terme of life in his owne right, or his wiues, to the clere peerely value of v. hundred marks, then he shall keepe and mainteine one trotting stoned hozse for the Saddle in forme aforesayde, vpon paine of forfaiture of xx. li. for euerp three Monethes that he shall want the same Hozse. But no such sonne and heire is compellable by force of this Act, to finde or keepe any Hozse in the life of his father, except he hath landes, tenements, annuities, fees, or offices, to the sayde peerely value of fve hundred Markes. But no person shalbe impeched or troubled for any offence done contrary to this Act by A. J. H. or Certificat of the Sherife, vnles the same be made within one peere next after the offence committed. 33. H. 8. 5.

The sonne and heire of a Noble man,

13 ¶ If any of the foresayd hozses happen to be killed, maymed, or lost in the Queenes seruice, then the owner is at libertie at any time by the space of two peeres next after such chaunce to prouide other in their steade, without any penaltie. 33. H. 8. 5.

If the hozse be killed in the Queenes seruice.

14 ¶ If any person do sell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vse of any Scottissh man, or into any place beyonde the sea, out of this realme or the dominions of the same, any Hozse, Gelding, or Mare, without speciall licence therfore obtained of the Queene, or of her heires, vnder the great seale, or priuie signet, or if any person doe sell, exchange, giue or deliuer, to any Scottisshman within this realme of England, or Wales, the towne of Berwicke or the Marches of the same, to the intent to bee conueied into Scotland, any Hozse, Gelding or Mare, or doe conuey or cary any Hozse, Gelding, or Mare, into any forreyne partes beyond the sea, without like speciall licence obtayned of the Queene or of

Transporting of hozses into forrein regions.

Horses and Mares.

her heires, vnder the great seale, or priuie signet, then the same person shall forsaite to our Soueraigne Ladie and her heyres the same horse, Gelding, or Mare, so carried or conueyed, and shall also lose xl.li. for euery such Horse, Gelding, or Mare so conueyed, to the Queene and Informer, to be recouered by A. J. &c. wherein no W. &c. E. P. &c. And also euery person so offending, shall suffer imprisonment by the space of one whole yeere. And it shall be lawfull to euery person being the Queenes subiect, to arrest and imprison euery Scottisshman, and euery other person, which shall leade or conuey contrary to the meaning of this Act, any such Horse, Gelding, or Mare, out of this Realme into Scotlande, or into any other forreyne place beyond the sea, other then such persons as shall haue sufficient warrant from the Queene, or her heyres, vnder her or their great seale or priuie signet. But this Acte shall not extende to any person which shall conuey any Horse, Mare or Gelding into Scotlande, or into any other forreine parties beyond the sea to serue the Queene in her warres with the same. 1. Ed. 6. 5. 5. Cl. 19. S. Felonie, 1. that it is felonie to sell, exchange, or deliuer within Scotlande, or the batable grounde betweene Englande and Scotlande, to the vse of any Scottisshman, any Horse, Mare, or Gelding, or to sell, exchange, or deliuer in Englande, Wales, Berwicke, or the marches of the same, or in the said batable ground, to the intent to bee conueyed into Scotlande any Horse, Mare, or Gelding without the Queenes licence vnder her great seale. And in like sort it is felony to buy the same.

Licences to
transport hor-
ses, & licences
to giue licence.

15 ¶ But if the Queene, her heires or successors, vnder her great seale or priuie signet, doe giue licence to any person, to carry any Horses, Mares or Geldings into Scotland, or into any other parties beyond the sea, or else doe giue authoritie or commaundement to any person or persons by warrant vnder the great seale, to licence any other person or persons to carry or conuey any Horses, Mares or Geldings into Scotland, or into any partes beyond the sea, then it shall bee lawfull aswell to all persons hauing such lycence vnder the Queenes great seale or priuie signet, as to euery other person hauing licence in wryting vnder the seale of such person or persons to whom the Queene shall giue authoritie or commaundement in forme abouesaide, to licence other to carry and conuey such number of Horses, Geldings, or Mares, or any of them into Scotland or into any of the partes beyond the sea, as shall be mencioned in any such licences. 1. Ed. 6. 5. 5. Cl. 19.

16 ¶ Every such person which shalbe licenced according to this Act

Act to carry or conuey any horfes, mares or geldings, into Scotland, shall before the same carriage or conueyance, vpon the paine of forf. of the said horfe &c. or the double value thereof to the Q. & I. &c. shew his said licence to one of the thre wardens of the thre marches of England, to the intent that one of the said wardens shall cause the number of the sayd horfes &c. so licenced to bee conueyed into Scotlande, not onely to be kalendryed in a booke, to remaine in his owne custody, But also to be endorſed and wrytten on the backside of the sayd licence, and the same indorſement to be signed with the hand of the saide warden. 1. Ed. 6. 5. 5. Cl. 19.

licence shew
to the wardens
of the marches

17 ¶ But this Acte shall not bee preiudiciall to the master of the Queenes horſes for such thinges and commodities as shall concerne his office, And notwithstanding this act, the warden of the ſiue portes may peereſly at his pleasure giue vi. horſes or geldings (and no more than one peere, at one or diuers times vpon like paine as is aforesaide) to any person or persons in the parties beyonde the seas, being in amitie with the Queene, or her ſucceſſors. And it shall bee lawfull to any of the Queenes ſubiectes to carry or ſende into any parts beyond the ſea any mares, whereof the pryce of any one mare ſo to be carried doeth not excede x. s. in ſuch maner as mares being of the prices of vi. s. viii. d. bene or might haue bene conueyed ouer the ſeas before the making of this Act (vz. per ſtat. 11. Henrici ſeptimi. 13.) any thing in this Act, or any other Act &c. notwithstanding. 1. Ed. 6. 5. 5. Cl. 19.

warden of the
v. ports.

mares of x. s.
price may be
transported.

1 Howe many great Horſes & Geldings eche man is chargeable to keepe by reaſon of his lands or goods. S. Armour, 1.

2 Concerning ſelling of Horſes, appointing a place, and paying tolle for them in a ſayre or market. S. Faires, 4. 5. 6.

3 That the Sherifes ſhall enquire and certifie the faultes of thoſe which do want ſtoned trotting horſes. S. Sherifes, 25.

Hospitals.

The Biſhop of euery Dioces or his Chauncellour for the tyme being, ſhall peereſly viſite all hospitalles in the dioccs of ſuch Byſhop where no viſitor by the founder is appointed, if the founder of the ſaide Hoſpittall be then dead, and take order that the ſayd Hoſpittals be ordered & vſed according to the ſtatutes & ordinances of the foundation thereof. And if the founder bee then liuing, the ſaide founder to viſite the ſame during his life, without any the Biſhops viſitation, & the ſame viſitation to be at the onely coſtes of the viſitors and not of the Hoſpittall. And it ſhall be lawfull to the Biſhop &c. or his Chauncellour,

Viſitation of
hospitals and
calling the collectors to account.

U. ii.

cellour,

Hospitals, Hunters, Hunting.

cellour, vpon complaint, or other intelligence of iust cause, to take accompt how the rentes, reuenues, and profites of any such Hospitall haue bene bestowed, to call before him or them at the saide Hospitall to accompt all such persons as haue had the collection or receipt of any the saide rentes, issues, reuenues or profites. And if any person so called shall refuse to accompt, or entring into accompt, shall refuse to proceede and finish the same, or vpon the finishing thereof, shall refuse forthwith to answere to the vse of the said Hospitall, such summe of money, as vpon the same accompt shall appeare to bee due by him, then he refusing shall forfeite such summe of money as to the saide Bishoppe or Chauncelloz, and to two Iustices of the peace next inhabiting to the saide Hospitall shalbe thought meete, to which accompts the saide Bishop or Chauncelloz, shall call the same two Iustices of peace. 2. H. 5. 1. 14. Cl. 5. 18. Cl. 3. to continue from 15. Marcii. Anno. 1575. vntill the ende of vii. yeeres then next ensuing, and from thence vntill the end of the next Parliament.

Hunters, Hunting.

None shal hit
but which
hath sufficient
liuing.

If any Artificer, Laborer, or other lay man which hath not lands or tenements to the value of xl. shillings by the peere, or if any priest or Clerke which hath not lyuing to the value of tenne pounde by the peere, will haue or keepe any Greyhound, hound, or other dogge for to hunt, or will vse firrets, heyes, nettes, Hareppes, Cordes, or other engines for to take or destroy Deare, Hares, conies, or other gentlemens game, he shalbe imprisoned by the space of one whole peere. 13. R. 2. 13. S. Iustice of peace. 36.

Tracing of
Hares.

2 If any person doth trace, destroy, & kill any hare in the snowe with dogge, bitch, or other wise, he shall forf. for euery hare so killed vi. s. viii. d. 14. H. 8. 10. S. Iustices of peace. 37.

Buckstalles.

3 If any person hauing no Parke, Chace or forest of his owne, doeth keepe or cause to bee kept any nettes called Deare hayes or Buckstalles, hee shall forfayte for euery moneth that hee keepeth the same, x. li. to any person that will sue for the same by A. of debt, wherein no W. & C. E. P. & C. 19. H. 7. 11.

Stalking.

4 Whosoever doeth stalke or cause any other person to stalke with any bushe or beast, to any Deare being in any parke, chace, forest, or without (but in his owne grounde, Forest, Chace, or Parke,) without licence of the owner, master of the game, or keeper of the same grounde, forest, chace or parke, shall forfeite for euery time that hee or they stalketh, tenne pounde, to any person that will sue for the same by A. of debt, wherein no Wager, & C. E. P. & C. 19. Hen. 7. 11. S.

Forests.

Forests, Iustices of peace. 35.

1 That vnlawfull hunting in parkes, warreins &c. and denying the same, is felony. S. Felony. 24.

2 That no person shall hunt where any eared or coddled corne shalbe standing. S. Fesantes. 4.

Husbandrie and Tillage.

Every owner that hath any house, which at any time heretofore since the first yeere of king H. 7. haue or hath had, or hereafter shall haue xx. acres of ground to the same house lying or belonging, or with the same house commonly occupied or vled, the content of e- uery which acre shalbe taken & rated after the measure limited in the treatise de terris mensurandis (although the same ground hath not bene, is, or shall not be all wholly vled as arable land, and put in tillage, but some part thereof) shall keepe, sustaine, and maintaine houses and buyldings vpon the said ground, and land conuenient and necessary for the maintaining and vpholding of the sayde tillage and husban- dy. And if any owner of any such house or lande, doe occupie such house or lande in his owne handes, hee shall keepe and mainteine houses and buyldings vpon the same ground, and land conuenient and necessary for the maintaining and vpholding of the sayde tillage and husbandry. 4. H. 7. 19. 5. El. 2.

Maintaining
of houses
whereunto xx.
acres of land
belong.

S. waights &
measures. 5.

2 **W**hofoeuer hath any house of husbandry with xx. acres of lande, or moze belonging or lying thereunto, or with the same com- monly occupied, vled, or demised, shall not seuer the saide land nor any part thereof from the said house, vlesse the same be kept in tillage, or other wise for the profite of husbandry, according to the nature of the ground or custome of the manors where the same land shall so bee, except he shall lay and assigne to the said house, or to any other house or houses within the saide parish or lordshippe, or within two myles of the saide houses, being not also bounde to bee vpholden and main- tained by the foresayde statute of 4. H. 7. as much other land within the same parish or lordshippe, or within two miles, for, and in lieu of such and so much of the former land, as ought by the sayde statute to haue continued with the former house, and cannot conueniently bee retur- ned to the same former house. 5. El. 2.

Land shall not
be seuered fro
h house wher
unto it belong
geth.

3 **I**f any such house of husbandry and land bee seuered the one from the other, by reason of any lease or leases for terme of life, liues or yeeres, made or gaunted before 1. Januarii. An. Do. 1563 then whensoever the sayde lease or leases shall determine by any maner of meanes, so as the same house and lands thereunto belonging shall

Land seuered
from the house
by lease, shalbe
vntied, h lease
being expired.

Husbandrie and Tillage.

be discharged of all such leases, the same house and landes so demised shall not be afterward severed the one from the other, but shall go, bee kept, and occupied together at all times after, according to the declaration before mentioned, except by the returning or reuniting of the same land to the said house, there shall or may growe any manifest decay of any other houses newly edified, or of any other farmes that haue bene by meanes of distribution or severance of the same landes or any part thereof, made or assigned to be severall tenements or holdes. 5. El. 2.

Repairing of
decayed towne
or houses of
husbandry.

4 **C** All townes, villages, boroughs, hamlets, tithing houses, and other habitationes in any parishe within this Realme, whereof the moze part 12. die Nouemb. An. 7. H. 8. being An. Do. 1515, were vsed to tillage, and husbandry, and by the owners thereof for their singular lucre &c. wilfully sicthence the same day, be or hereafter shalbe suffered, or caused to decay, and fall downe, whereby the husbandry of the same townes, villages &c. bene or shalbe decayed, and turned from the vse of husbandry and tillage, into pasture, shalbe by the owners, their heires, successors, or assignes, or other for them, at their charges, within one yeere next after such wilfull decay, reedified, and made againe, meete and conuenient for people to dwell in the same, and therein to exercise husbandrie and tillage, as at the sayde xii. daye of Nouember or sicthence was vsed there, after the maner of the countrey where the sayde land lyeth. 7. H. 8. 1.

Converting of
tillage into pas-
ture whereby
any house of
husbandry is
decayed.

5 **C** If sicthence the sayd xii. daye of Nouember, Anno 7. H. 8. any landes, which at the same day, or sicthence, were commonly vsed in tillage, be inclosed, and from henceforth shalbe inclosed, be turned only to pasture, whereby any house of husbandry within this realme, is or hereafter shalbe decayed, then all such landes shall be by the sayde owner, his heires, successors, or assignes, or other for him within one yeere next ensuing the same decay, put in tillage, and occupied in tillage and husbandry, as they were the same xii. day, or any time sicthence, after the maner of the countrey where such land lyeth. But this Act shall not extend to any parke for deare, made or to be made, or to any marsh for walling or inclosing, or for any landes contayned in the same. 7. H. 8. 1.

The same til-
lage decayed
shalbe eared a-
gain, or so
much other.

6 **C** If at any time sicthence the xii. daye of Nouember. An. 7. H. 8. and before the feast of saint George. An. 20. H. 8. any landes belonging to any house of husbandry, haue bene turned from tillage to pasture by any person, then the same landes, or so much other landes within the same parish, lordship or manor, hetheretofore was not bound by any lawe or statute to be kept in tillage, was, or ought to haue byn turned

turned againe into tillage within one yeere next after the session of the Parliament begunne xii. Januarii An. 5. El. and shall bee kept in tillage for ever, according to the custome of the countrey, and nature of the soyle, whether the sayde house whereunto the sayde landes did belong, bee decayed or not, or whether the saide land were inclosed or not, or whether some part thereof and not the whole were kept in tillage or not. 5. El. 2.

7 ¶ If any owner do contrary to the premisses, or any of them, it is lawfull for the Queene (if any such landes or houses bee immediatly holden of her, after the same shalbe found by office or verdict) or to any other Lord of the fee of whom the said landes or houses be immediatly holden, to receiue yeerely halfe the value of the issues and profits of such landes &c. And for the same to distraine, and the same to keepe to her, his, or their owne vse, without any thing therefore to be giuen, or payed, untill such time as the same shalbe sufficiently repaired, the saide pasture conuerted into tillage, and euery of the former offences reformed &c. But no freeholde or tenure shalbe in the Queene, or other Lord, neither shall any Lord lose his tenure, seruice or other right of and in the same. And if the Lord immediat doe not take his benefite, within one yeere, the Queene after office found shall haue the same. 4. H. 7. 19. 7. H. 8. 1. 27. H. 8. 22.

8 ¶ This statute of 4. Hen. 7. is not preiudiciall to any Infant within the age of xxi. yeeres, nor to any person out of the Realme, for any issues to bee leuiued &c. as long as they shalbe within age, or out of the Realme. And also the said act of 27. H. 8. extendeth onely to the owners of landes in the Countie of Lyncolne, Nottingham, Leyster, Warwicke, Rutlande, Northampton, Bedford, Buckingham, Dreford, Barkshire, the Isle of Wight, Worcester, Hereford, and Cambridge, and not to any others. 27. H. 8. 22.

9 ¶ All persons to whome King H. 8. or any of his heires or successors, heretofore sithence 4. Februarii. An. 27. of his raigne, haue giuen, graunted, letten, or demised, or hereafter shall giue, graunt, let, or demise, any Scite or precinct, with the houses thereupon buylded, together with the demesnes of any monasteries, priories, or other religious houses that were dissolued or giuen to the sayde king by the act made Anno 27. H. 8. (viz. such as had not in landes, tenementes and hereditaments, aboue the clere yerely value of CC. li.) and the heires, successors and assignes of euery such person are bounde to keepe, or cause to be kept an honest continuall house and housholde in the same Scite or precinct, and to occupy yeerely as much of the demesnes in plowing and tillage of husbandry, as then were commonly vsed to

The penaltie
for the offen-
ces committed
in the former
6. branches.

No Infant or
person beyond
the sea preiud-
iced.

The shires tou-
ched by 27.
H. 8.

Hospitalitie
and tillage in
Scites of mon-
asteries.

Husbandry and Tillage.

bee kept in tillage, by the gouernours, Abbots, or Priors of the same houses, monasteries, priories, or by their farmour or farmours occupying the same, within xx. yeeres next befoze the same statute, vpon paine to forfait to the Queene for euery moneth offending to the contrary vi. li. xiii. s. iiii. d. to be recouered to her vse, in any of her courtes of record, 27. H. 8. in a statute not imprinted. 5. EL. 2.

What land shal
be kept in Tillage,
and vpon
what paine.

10 **C** All such landes and groundes, or so much in quantitie, as in any towne, villiage, hamlet, Lordship, place knowen, or parish within England or Wales, haue bene eared, plowed, or put in tillage by the space of iiii. yeeres any time sithence the feast of S. George the Martyr in Anno 20. H. 8. other then the demesnes of the foresayde monasteries &c. shalbe eared, ploughed, vled, and kept in tillage for euer, according to the nature of the soyle and custome of the countrey, by the occupier, or occupiers thereof without collusion, vpon paine that euery offender contrary to this act, shall forfait yeerely for euery acre x. s. which forfeiture shall goe and bee to such person and persons as be next in reuerfion or remainder thereof, for terme of life, liues, or in taile, their executors or administratours. And it shalbe lawfull for him or them to leuie the same forfeiture of x. s. for euery acre, by distress, and to iustifie, or make their auowies or cognisances for the same, in such maner and forme, as any person or persons may doe for rents reserved vpon estates made for terme of yeeres of any landes or tenements, or otherwise shall and may sue for the same forfeiture by A. of debt, B. P. or T. in any of the Queenes &c. courtes of record, wherein no W. &c. P. &c. And if they or any of them do not distraine, or otherwise claime, or demaund the saide penaltie, by any the meanes aforesaid, within one whole yeere next after the offence done in foume aforesaid, and pursue for the same with effect, without fraud or couin, and doe not recouer (and might haue recouered the same) with such speede as may be, by the due order of the law: Then after such default, it shalbe lawfull for him or them to whom the reuerfion or remainder, or the fee simple of the said land shall appertaine, their executors or administratours to distraine, auowe, or make cognisance, & iustifie, or otherwise to sue for the said forfeiture in forme aforesaid, at any time within one yeere next ensuing any such default. And in his or their default, the sayde forfeiture to goe and bee to the immediat Lorde or Lordes of the fee or fees of whom the said landes bene holden, to be recouered in maner and forme aforesaide, so that he or they doe take and sue for his or their remedy therein within one yeere next ensuing any such default, in maner and forme aforesaide, And in his or their default the said forfeiture to goe and bee to the Queene, her heires and succes-

successours, to bee recovered by any of the meanes aforesayde, at any time at her pleasure, or otherwise to any other person that will sue as well for the Queene &c. as for himselfe, for the same forfeiture, upon which suit the one moitie shall goe and bee to the Queene &c. and the other to the Informer to bee recovered by Accion, Information &c. wherein no W. &c. P. &c. and if any person or persons being an occupior, and owner of any such lands and grounds as is aforesayd, of any estate of inheritance, shall offend against the forme of this act, then the said forfeiture shall go and be to the next immediat Lord or Lords of the fee, or fees thereof, his or their executours or administratours, to bee recovered by such wayes and meanes, as before is limited, so that he or they doe pursue, and take their remedy for the same in forme aforesayde, within one yeere next after such offence committed. And if any such occupior and owner shall be a copiholder, or a customarie tenant, then the saide forfeiture to goe and bee to the Lord or Lords of the manor, of whome the sayde copie or customarie tenementes bene holden, their executours or administratours, so that hee or they doe pursue and take their remedy for the same in such maner and forme, and within the time last before limited. And in euery such default of the said Lord or Lords of the fee or fees, and of the Lord or Lords of the said manor or manors, as is aforesaid, or of any of them, the sayde penalties and forfeitures to goe, and be to the Queene, or to the Queene and Informer &c. to bee recovered by A. J. &c. wherein no W. &c. P. &c. 5. Cl. 2.

I I This act shall not bee preiudiciall to any person that hath, or shall turne any grounde from Tillage to pasture, and shall keepe such grounde in pasture whole, and not conuerted into Tillage, for the onely maintenance and keeping of his owne Horses, Geldings, Hares, Draught Oxen, or for the maintenaunce or keeping of Kine, or other Cattell, for the onely victuals to bee spent in his owne house, so that the same person hath not, or shall not haue in his possession, occupation, or disposition, other sufficient pasture grounde for that purpose within five myles of his mansion house, But if it shall fortune any such person to bee absent, and not resident at or upon his vsuall mansion house with his familie, by occasion of service or attendance to bee done by him, by the expresse commaundement of the Queene, her heires or successours within the Realme, or without, or else hauing two or three dwelling houses, shall bee resident with his familie at one of them, or shall bee within age, then during the time of such service, attendance, minority, and absence (and one yeere next after) from any his said dwelling houses, or during the time

For what causes tillage may be conuerted into pasture.

In what cases he that is absent from his dwelling house may conuert tillage into pasture.

that

Husbandry and Tillage.

that hee shall be resident with his familie, at or vpon one of them, hee shall or may keepe such grounde in pasture or medowe, belonging or vsually occupied with any of the sayde two or thre houses (and with no mo or others) in his owne handes, or let it out to any other person without incurring any danger, so that the same person doe keepe the same mansion house vnlitten, and in good and sufficient reparations, and meete for him to resort vnto at all times for his dwelling.

5. Eliz. 2.

Common grass
siers of Cattell
to bee solde,
may not con-
uert tillage in-
to pasture.

12 ¶ But euerie person that doeth commonly feede, and peere-ly sell beeuies or muttongs, to a greater number then hee doeth spend in victual in his house, or which is a common grasser, or sheepe master, of beeuies or muttongs, to bee commonly solde in markets or faires, or a common butcher, is within the danger of this statute.

5. Eliz. 2.

Tillage con-
uerted into pa-
sture, and per-
mitted by this
statute.

13 ¶ This act shall not extend to any lawfull Parke or parkes, or ancient warrens, nowe vled with Deare or Conies, or to parkes heretofore lawfully vled as Parkes, and being disparked, or to any other groundes, that heretofore haue bene by the Queenes progenitors or hereafter shalbe made Parkes or Warrens, by licence of the Queene, her heires or successors, with sufficient clause of dispensation for conuerting of tillage into pasture, and bee or shalbe layed, bestowed, and imployed to the mayntenaunce and keeping of Deare, or Conies, without fraud, and not to the feeding or keeping of any other Cattell or beastes, but onely milche kine, for the owner or owners, or his or their keeper of such Parke or Warren for the prouision of his or their house or houses, or for the keeping of his or their Horses, Geldings, Hares, Coltes, or Swine, Neither shall it extend to any waste groundes, commons, heathes, downes, fennes, moores, commonly vled as common, nor to any heathes, fennes, moores, marshes being vled nowe in seueraltie, and not commonly vled to bee sown and put in tillage, since the feast of S. George, Anno 20. H. 8. nor to any fresh marshes surrounded with water, within fixe yeeres next before the first day of the saide Parliament (being the xii. day of Januarie, Anno Do. 1563.) Nor to any Orchard, Garden, Doole, or Pondyard, nor to any ground set or sown with Saffron, Hops, Garlike, Onions, Flax, Dade, or Hadder, or sown with Acornes, or set with any kind of yong woods, nor to any wood grounds, which are not stubbed, or wherein the wood hath bene felled or shalbe felled, and the rootes and stubbes thereof yet remaine vndigged vp. Nor to any medowes, or other grounds accustomedly vled to be mowen for hay once in the yeere at the least, during such time as all and euery of the

the same shall be vled or put to the vles or intentes before specified. Neither shall this act compell any person to continue or put in Tillage any pasture, heath, waste, or barren ground, which hath not bene heretofore commonly vled to be eared or tilled for corne, though the same person, to the intent to amend and better the ground, and not to vle the same for Tillage, hath at any time heretofore, or any time hereafter shall turne or put the same into tillage, and hath or shall keepe the same in Tillage, for the space of iiii. yeeres together. Neither shall this act extend or be preiudicial to those partes or porcions of groundes wherein any Ore of Lead, Tinne, Iron or Coales, commonly called Sea cole, Stone cole or Hooke cole, haue bene, are, or hereafter shall bee vsually gotten, by meanes whereof the same grounds cannot conueniently be put in Tillage. Neither shall this act compell any person to put in Tillage any lands or grounds within any Forrest or Chace (Except the Forrest of Snowden in North-wales) otherwise then before the making of this statute he was bounde to doe, nor to compell any Inhabitant of the Countiees of Northumberland, Westmerland, or Cumberland, to reedifie, maintaine or keepe in manurance any house or ground that shall be ouerthrowen, burned, destroyed, wasted, or decayed by enemies, or by occasion of warres, or Inuasions, during the warres, or within foure yerres after the conclusion of peace next following such ouerthrowing &c. 5. El. 2.

14 ¶ But this act doth not giue libertie to any person which at any time sithence the sayd feast of S. George hath conuerted, or hereafter shall conuert or imploy any more ground to the keeping of Conies (not being a lawfull warren) then v. acres at the most, and the same to be within one myle of his dwelling house, and also not hurtfull to the Coyne of any person, but of the owner of the same ground, so that he must put in Tillage as much or as many acres of his owne ground lying within the said Lordship, mannor or parish, as the sayde Conigry shall containe aboue the saide number of v. acres, which hath not bene heretofore lyable to bee continued in Tillage by force of any lawe or statute, Anno. 5. El. 2.

15 ¶ The putting of any lands from pasture to Tillage according to the tenour of this Act, is not any cause of breach or forfeiture of any band, Couenaunt, payment, or condition made, or hereafter to be made betwene any person, which in any wise is or shall be repugnant to this act. And no person shall conuert from Tillage to pasture any ground, which was in Tillage the first day of the parliament begunne 12. Januar. An. 5. El. other then such as hee might lawfully

A warren shall be but v. acres within one myle of the owners house, & not hurtfull to other mens Coyne.

Conuerting of landes into tillage no breach of couenaunt or band,

Jeofaile.

lawfully haue conuerted before the making of this Act. Anno 5. Elizabeth 2.

He that is
once punished
that not be est-
sones troubled

16 ¶ If any person shall sustaine any penaltie, forfeiture or losse, for or by reason of any offence committed contrarie to the effect of any of the foresayd Actes, he shall not be estesones vexed, sued, or impeched for the same offence. 5. El. 2. 14. El. 11.

1 The duetie of those to whome any commission is directed to enquire of the decay of houses of husbandry and Tillage. S. Commission. 2. 3.

2 Where a husbandman being a housholder may take an apprentice. S. Laborers. 15.

Jeofaile.

After issue
there shalbe
Judgement
notwithstan-
ding any Jeo-
faile or mis-
pleading.

¶ If any issue bee tryed by the othe of xii. or moze indifferent men for the partie plaintife or demaundant, or for the tenant or defendant, in any action or suit at the Common lawe of this Realme, in any of the Queenes Courtes of recorde, then the Justice and Justices by whom iudgement thereof ought to be giuen, shall proceede and giue Judgement in the same, any mispleading, lacke of colour, insufficient pleading, or Jeofaile, any misconueneing of proces, mistoyning of the issue, lacke of warrant of attourney for the partie against whom the same issue shall happen to be tryed, or any other default or negligence of any of the parties, their Counsaillors or Attorneis, had or made to the contrary notwithstanding. And the sayde Judgementes thereof so to be had and giuen, shall stand in full force to all intentes according to the said verdict, without any reuerfall, or vndoing of the same, by writte of Error, or of false Judgement, in like forme, as though no such default or negligence had neuer bene had or committed. 32. Hen. 8. 30. 2. Edw. 6. 32.

No stay of
Judgement
for lacke of
forme.

2 ¶ If any verdict of xii. men or moze shalbe giuen in any action, suit, Bill, plaint, or demaund in any Court of record, the iudgement thereupon shall not be stayed, or reuerled by reason of any default in forme or lacke of forme, touching false Latin, or varpance from the register, or other defaultes in forme, in any writ originall, or iudiciall, count, declaration, playnt, bill, suit or demaund, or for want of any writ originall, or iudiciall, or by reason of any imperfect, or insufficient returne of any sherife, or other officer, or for want of any warrant of attourney, or by reason of any manner of default in proces vpon or after any ayde, pyper or voucher. And any such recorde nor iudgement after verdict giuen shall bee reuerled for any the defectes or causes foresayd, any law, statute, or vsage &c. notwithstanding. But this Act shall

shall not extende to any writ, declaration, or suit of appeale of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, Bill, Accion, or information, vpon any popular or penall statute. 18. El. 13.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other ordinaries, hauing episcopall Iurisdiction, to punish and chastice such Priestes, clerkes, &c. being within the boundes of their iurisdiction, as shall bee conuicted befoze them by examination, and other lawfull prooue (requisite by the lawe of the Church) of adulterie, fornication, incest, or any other fleshy incontinencie, by committing them to warde and pyson, there to abide, for such time as shalbe thought to their discretions conuenient, for the qualitie and quantitie of their trespass, & none of the sayd Bishops or ordinaries shalbe therefore chargeable, of, to, or vpon any Accion of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the Queene shall make collacion or presentation to a benefice in an others right, the title whereupon she groundeth shall bee well examined that it bee true, and if at any time befoze iudgement giuen, the title (vpon good information) bee not founde true, or iust, the collacion or presentment shall bee repealed, & the Patron, or the possessor which sheweth and proueth the title to bee false, shall haue as many writs in the Chancerie, as hee will. 25. Edw. 3. 3. And if the Queene doe present to a benefice, which is full of any Incumbent, the Queenes presentee shall not bee receiued to such benefice by the Ordinarie, vntill the Queene hath recouered her presentation by proces of lawe, in her owne Court. And if any presentee of the Queenes be otherwise receyued, and the Incumbent put out without due proces, the sayd Incumbent so put forth may commence his suite, within one yeere after the induction or the Queenes presentation. 13. Rich. 2. 1. or at any time after the yeere at his pleasure. 4. H. 4. 21. S. Laps. 3.

The Queene presenting in an others right.

The Queene presenteth to a benefice full of an Incumbent.

Indictments.

The words vi & armis, bz. cum Baculis, Cultellis, arcubus, & sagittis, or such other like, shall not of necessitie bee comprised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any aduantage by writ of Error, plea, or otherwise, to auoyde any such inquisition or indictment, for that the saide wordes, or any of them, shall not bee put in the saide inquisition or indictment, but the

Words not necessary in indictments.

said

Indictments.

said Inquisitions and indictments lacking the foresaid wordes, or any of them, shalbe taken to all intents as good and effectual in lawe, as if the said wordes were in them. 37.H.8.8.

Proces as
gainst Indict-
tees in an o-
ther countie.

2 ¶ The Justices assigned to heare and determyne felonies, may direct their writs through all the Counties of England, where neede shalbe, to apprehend those which bee appealed, indicted, or outlawed of felony in one County, and bee dwelling or receiued in another Countie. 5.Ed.3.11.

Indictment of
persons dwel-
ling in foreine
counties.

3 ¶ Upon euery indictment, or appeale, by the which any of the Queenes liege people dwelling in other counties then there where the Indictment or appeale shalbe taken of Treason, felony, and trespassse, before Justices of peace, or any other hauing power to take such indictments or appeales, or other Commissioners or Justices in any Countie, franchise, or libertie within England, before any exigent awarded vpon any indictment or appeale to bee taken in forme aforesaide, immediatly after the first writ of Capias vpon euery such indictment or appeale awarded and returned, an other writ of Capias shall bee awarded, directed to the Sherife of the Countie whereof hee which is indicted is, or was supposed to bee conuerfant by the same indictment, returnable before the same Justices or Commissioners, before whom hee is indicted or appealed at a certaine day, containing the space of iii. monethes from the date of the sayde last writ, by the which writ of seconde Capias, it shall bee contained and commanded to the same Sherife, to take the body of him which is so indicted or appealed, if hee may be found within his Bailiwicke, And if hee cannot be founde within his Bailiwicke, that the Sherife shall make Proclamation in two counties before the returne of the same writ, that hee which is so indicted or appealed, shall appeare before the same Justices or Commissioners in the countie, libertie, or franchise, where hee is indicted or appealed, at the day contained in the sayd last writ of Capias, to answer to the Queene, or to the partie of the felony, treason or trespass, whereof hee is indicted or appealed, after which second writ of Capias so serued, and returned, if hee which is so indicted or appealed doth not come at the day of the sayd writ of Capias returned, the Exigent shall bee awarded against such indicted or appellees, and euery of them. And if any Exigent bee awarded vpon any such Indictment or appell against the foresayde forme, or any outlawrie thereupon pronounced, the sayde Exigent and the Outlawrie thereupon pronounced, and euery of them shall bee voyde. And the parry against whome such Exigent is awarded, or outlawrie pronounced, against the foresayde forme, shall not bee eu-
damaged

damaged in his lyfe, landes, or goodes &c. And euery one which is indicted or appealed in fourme aforesayde, after he is acquitted by verdict in fourme of lawe, may haue an Accion vpon the case, against euery Procurour of such Indictments or Appeales, in which accion there shall be like proces, as in an accion of trespasse Vi & armis. And if the sayde Procurours be attainted, the plaintife shall recouer treble dammagages. But this statute extendeth not to indictments, or appeales taken in the Countie of Chester, Nor to any indictment or appeale of Felony or Treason, taken of any of the Queenes liege people, which at the time of the same felonie or treason supposed, is and was conuersant within the Countie whereof the indictment or appeale maketh mention, but the like Proces shall bee made against such indicted or appealed person as hath bene vsed. 8. H. 6. 10. S. Exigent. 5. 6.

Accion against
Procurours.

Indictment or
appeall in the
County of
Chester.

4 ¶ And if any such indictments taken before any Iustices of peace, or any other hauing power to take such indictments or appeales, or other Iustices or commissioners in any countie, fraunchise, or libertie of England, shalbe remoued into the Kings Bench, or els where by Cerciorare, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeale in forme aforesayde taken, immediatly after the first writte of Capias, vpon euery such indictment or appeale awarded, and returned, another writte of Capias shall bee awarded, directed to the Sherife of the Countie, whereof hee that is so indicted or appealed, is or was supposed to bee conuersant by the same indictment, or appeale, returnable in the Kings Bench, at a certayne day, contayning the space of three monethes, from the date of the sayde last writte of Capias, according to the maner and fourme that the Iustices of peace and other ought to haue done, before such remouing. And if any Exigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesayde, or any outlawrie thereupon pronounced, aswell the same Exigent as the outlawrie and euery of them be voyd. 10. H. 6. 6.

Proces vpon
an indictment
remoued into
the kings
Bench.

5 ¶ If a man bee indicted of Felonie before Iustices to heare and determine in their sessions, the Sherife shall bee commaunded to attach his body by writte or precept called a Capias. And if the Sherife returne therein, that the bodye is not founde, immediately another writte or precept of Capias shall be awarded, returnable three weekes after, and therein it shall be comprised that the Sherife shall seise all his cattels, and safely keeppe them vntill the day of the writte or precept returned. And if the Sherife returne that the body is not found,

Proces vpon
an indictment
of felonie.

Indictments, Inholders.

found, and the indittee commeth not, the Exigent shall be awarded, and the cattels shalbe forf. But if he come and yelde him selfe, or be taken by the sherife, or other officer, before the returne of the seconde Capias, the goods and chattels shalbe saued. 25. Ed. 3. 14.

1 In what sort an ordinarie shall be indicted of extortion, or oppression, S. Ordinarie, 2.

2 That no indictor shall be put in enquests, vpon the deliuerie of the partie indicted, S. Iurors, 3.

3 Where Iustices of peace may charge one Enquest to indict another, S. Iurors. 9. Iustices of peace. 44.

4 For indictments taken in the county of Lancaster, or of any person dwelling in an other shire, S. Iurors. 17.

5 For indictments taken in an other county against any person dwelling in the county of Lancaster, S. Iurors. 18.

6 By what persons; and by whom empanelled, all indictments shalbe made, S. Iurors. 7.

7 That indictments taken before Sheriffes in their Turnes shall be deliuered to the Iustices of peace, of the same shire, S. Sherifes, 12.

8 That indictors being sued in spiritual courtes, shal haue a prohibition, S. Prohibition, 7.

9 That Iustices of peace may award proces against them which be indicted in the Sherifes Turne, S. Sherifes, 13.

10 For the order of taking indictments in the Sherifes Turne, S. Sherifes, 12.

Inholders.

How an Inholder shall sell hay, otes, liture.

Inholders or Hostlers, shall sell their hay and otes at a reasonable price, and shall take nothing for their Liture. 13. R. 2. 8. And if any Inholder doe take aboue a halfpenny more for a bushell of otes, then the common price in the market, and that be duely proued, he shall forsaite the quaduple value of that which he hath taken ouer, and that aswell at the parties, as at the Queenes suit. 4. H. 4. 25.

Horsehead,

2 **E**uery Hostler or Inholder (except hereafter excepted) which maketh horsehead in his house or els where, shall forsaite the treble value thereof. 13. R. 2. 8. 4. H. 25. But euery Hostler or Inholder, dwelling in any Towne or Village being a Thorough faire, or common passage within this Realme, and being no Citie, Towne corporat, or market town (wherein any common Baker exercising the occupation of baking, which hath bene prentice to the sayd occupation vii. yeeres, is dwelling) may make within his house, horsehead sufficient, lawfull and of due assise, according to the price of

of graine, any thing mentioned in either of the foresayd statutes, notwithstanding. 32. H. 8. 41. S. Iustices of peace. 50.

Inrolments.

NO manors, lands, tenements or other hereditaments shall passe, alter or chaunge from one to another, whereby any estate of inheritance or freehold shalbe made or take effect in any person or persons, or any vse thereof to be made by reason onely of any bargayne and sale thereof (except the same bargaine and sale be made by writing indented, sealed and inrolled in one of the Queenes courtes of record at Westm. or els within the same Countie or Counties, where the same manors, landes and tenements, so bargained and solde lye, or be, before the Custos Rotulorum, and two Iustices of the peace, and the Clerke of the peace of the same Courtie or Counties, or two of them at the least, whereof the Clerke of the peace to be one, and the same inrolment to be had and made within six moneths next after the date of the same writing indented. 27. H. 8. 16.)

Inrolments of
bargaine and
sale of lands.

2 **T**he Custos Rotulorum, or Iustices of peace, & clerke shall take for the inrolment of euery such wytyng indented before them, where the land comprised in the same wytyng excede not the peerele value of fourtie shillings, i. s. that is, twelue pence to the Iustices, and xii. pence to the Clerke, and for the inrolment &c. where the land comprised doeth excede the summe of xl. s. in peerele value, v. s. that is, ii. s. vi. d. to the Iustices, and ii. s. vi. d. to the Clerke for inrolling the same deede. And the clerke of the peace of euery countie, shall sufficiently inroll in Parchment the same wytings indented, and shall at the ende of euery yeere deliuer the rolles thereof to the Custos Rotulorum of the same countie, there to remaine, to the intent that euery partie which hath to do therewith, may resoꝛt to him and see the effect thereof. 27. H. 8. 16.

The fees for
inrolment in
the countie.

3 **B**ut this acte doeth not extende to any landes, tenements or hereditaments lying within any Citie, borough, or towne corporate, wherein the Maiors, Recorders, or other officers haue auctoritie, or haue lawfully vsed to inroll any euidences, deedes, or other wytings within their precincts and limits. 27. H. 8. 16. For recoveries, deedes inrolled, and releases taken and knowledged before them, be and remaine of like force to all intents, as any of them were before the making of the sayd act. 34. H. 8. 22.

Corporate
townes vsing
to inrol.

4 **F**rom þ feast of Easter next (being 11. Apillis An. D. 1563.) all inrolments of such wytings indented (vz. as be before mentioned 27. Hen. 8. 16.) of any bargaine and sale after the said Feast of Easter

Inrolments
in Lancaster,
Chester, Dur-
ham.

Inrolments. Iointenancie.

to be made of any Manors, landes, tenements or other hereditaments set, lying, or being in the Counties of Lancaster, Chester and Bishopricke of Durham, being made and inrolled within sixe Monethes next after the date of any such writings indented in the Queenes Court of Chauncerie at Lancaster, or before the Queenes Justice or Justices of Assises at Lancaster aforesayde, concerning any Manours, landes, tenements or hereditaments within the sayde Countie of Lancaster in the Queenes Court of the Eschequer at Chester, or before the Queenes Justice or Justices of Assises at Chester aforesayd concerning any Manours, lands, tenements or hereditaments within the sayde Countie of Chester. Or in the Court of Chauncery at Duresme, or before the Justice or Justices of Assises at Duresme aforesaid, concerning any manors, lands, tenements or hereditaments within the said County of the Bishopricke of Duresme shall be accepted, deemed, reputed and taken to be as good and available in lawe to all intents, as if the same writings indented had bene made and inrolled in any of the Queenes Courts at Westminster, any thing in the sayd former act &c. notwithstanding. 5. El. 26.

**Corporate
Townes.**

5 **C** Provided alwayes that this Acte shall not extende to any Manors, landes &c. lying within any Citie, Borough or Towne corporate within any of the sayde Counties wherein the Maiors, Recorders, Bailifes, or other officer or officers haue authoritie and haue lawfully bled to inroll any Evidences, deedes, or other writings within their precinct or limits, any thing &c. notwithstanding. 5. Eliz. 26.

1 In what case it is necessary, that a Safecondite should be inrolled. S. Safecondite. 1.

2 That such things which concerne fines and recoveries may be inrolled. S. Fines. 19. &c.

3 For the office of inrolments, and fees of inrolments of fines and recoveries. S. Fines. 24.

Iointenancie.

**Iointenancie
in assise pleas
ded by deede.**

If the tenant in assise of Nouel disseison alledgeeth against the plaintife, that he holdeth the tenements &c. ioynctly infeoffed with his wife, or with some straunger not named in the writte, and sheweth a deede that testifieth the same, and prayeth iudgement of the writ, if the plaintife offer to verifie by the assise, that the tenant at the day of the purchasing of the writte was sole tenant, then the Justices shall retayne the sayde deede in their keeping, as that which is in effect denyed. And they shall warne by writte the partie which is absent, that

that he appeare at a certaine day, together with the other tenaunt, to answer to the plaintife, aswell of the exception, as of the tenements demaunded, and put in view &c. At which day if both the said tenants appeare, and auowe the feoffement, they shall answer and maintaine the exception alledged by one of them, and likewise plead further to the Assise, as though the writte had bene purchased ioyntly agaynst them. And if it be found by the Assise that they were not ioyntly infeoffed, then though the Assise passe for the tenants against the pl. yet they shall be one yeere imprisoned, for alledging such exception. But the Justices shall not admit any such exception by the Bailifes of any tenants. And if he which alledgeth that exception, absent himselfe at the day, and the other which is said Jointfeoffe appeareth and disauoweth the deed, yet the assise shall be taken against the tenant that is absent by his default. And if it be found by the assise that they were not Jointfeoffees, at the day of the purchasing of the writ, and likewise that the tenant did disseise the plaintife, then the plaintife shall recouer his seison and his double dammages, and he that alledged the exception shall be punished in fourme aforesayde. And if neither of the tenants come at the day, then the Assise shall be taken against them by their default. And if it be found that the exception be true and lawfully alledged, the plaintifes writte shall be quashed, whether both or one only come. 24. Ed. 1.

Jointenancie shall not be pleaded by Bailif.

2 ¶ In the same maner, if in assise of Mortdauncester, or Juris utrum, at the first day that the partie appeare, the tenant alledgeth the foresayd exception, and the plaintife offereth to veresie by assise, that the tenant at the day of purchasing of his writ was sole tenant, then the same proces, and order of proceeding shall be obserued, as before is said in assise of Nouel disseison, & offdoers in like sort punished. 24. C. 1.

Jointenancie pleaded in Mortdauncester, or Juris utrum.

3 ¶ In other writtes whereby lands be demaunded, if at the first day of apparance, the tenant alledgeth the foresayd exception, and the demaundant offereth to veresie his writte by the Jury of the countrey, then the same proces shall be obserued betweene the parties, vntill the Jury haue passed betweene them, and if it be found by the Jury, that the exception was truly alledged, the writ shall be abated. But if it be found that the exception was falsely and maliciously alledged to the hurt of the parcy, then the demaundant shall recouer seison of the lands demanded, and the tenant shall be imprisoned as is aforesaid, and answer damages after the discretion of the Justices. 24. Ed. 1. Stat. de coniunctim feoffat.

Jointenancie pleaded in any piecipe.

1 Where, and by what meanes, iointenants are compellable to make partition, S. Partition, 2. 3. 4.

X.ii.

Jurors,

Jurors, Iuries, and Enquestes.

What sort of
people shall be
returned vpon
euery Iurie.

Olde men
decrepit.

But xliiii.
summoned.

No indictor
shalbe put vpon
the deliuerie of
the partie in-
dicted.

No officer of
the Forrest shall
be sworne in
Enquestes.
Jurors taking
reward to giue
his verdict.

Decies tantū.
Imbraccors.

Imbidexter.

Jurors in in-
dictments shal
be returned by
the Shirife,
without the
denomination
of others.

If any Shirife or Bailife doe put into any Iurie (others then such as be next neighbours, most sufficient, and least suspicious,) and is thereof attainted, he shal pay vnto the plaintife his double dammages, and be amerced vnto the *D. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11.*

2 **C** Old men aboue lxx. yeeres of age, being continually sick, or diseased at the time of the summons, or not dwelling in the Countrey, shal not be put in Iuries, or petit assises, And there shalbe no mo summoned in one Assise then xliiii. *West. 2. 13. Ed. 1. 37.*

3 **C** No indictor shall be put in enquestes vpon deliuerance of the inditees of felonie or trespasse, if he be chalenged for the same cause, by him which is indicted. *25. E. 3. 3. S. Challenge. 6.*

4 **C** No Foster, Verderor, Regardour, Agistor, or other officer of the Forrest, shall be put in any Assises, Iuries, or Enquestes, to be taken out of the same Forrest. *34. Ed. 1.*

5 **C** If any Jurour sworne in Assises, or other Enquestes to be taken betweene the Queene and the partie, or betweene partie and partie, do by himselfe or any other, take any thing of the plaintife or defendant to giue his verdict, and thereof is attainted, at the supre of the partie, which will sue for himselfe or for the Queene, or of any other person (entring his plaint by bill, immediately before the Iustices, before whome the Iurie was sworne) the sayd Jurour shall pay tenne times so much as he hath receyued. And all those which be Imbraccors to leade and procure such Enquestes in the Countrey to make a gaine and profite thereof, shall be punished as the Jurors, and if the Juror or Imbraccor so attainted haue not wherewith to make recompence in fourme aforesayde, he shall bee one yeere imprisoned, which imprisonment shall not be pardoned for any fine, and the partie grieved may haue his accion before other Iustices, if he will, But no Iustice or other Officer shall enquire of office, vpon any of the points of this statute, but onely at the suite of the partie, or of other as aforesayd. *34. Ed. 3. 8. 38. Ed. 3. 12. S. Attaint. 17.*

6 **C** If any Juror in assises, Iuries, or enquestes, take of the one partie, and of the other, and be thereof duly attainted, he shall not after be put in any assises, iuries, or enquestes, but shall be sent to prison, and further punished at the Ducenes pleasure. And the Iustices before whom such Assises, Iuries and enquestes shall passe, haue power to enquire and determine, according to this stat. *5. Ed. 3. 10.*

7 **C** No indictment shall be made by any persons which be outlawed before Iustices of recorde, or which haue fled to sanctuarie for Treason, or felonie, there to haue refuge, but by Enquest of the Ducenes liege lawfull people, returned by the Shirifs or Bailifes of

of franchises without any denomination to the Shirifes or Bailifes of franchises before made, of any person of the names which by him shalbe returned (except it be by the officers of the said Shirifes or Bailifes of franchises knowne and swoyne to make the same, and other ministers to whome it appertaineth by the lawes to make the same) And if any indictment be made in any point to the contrary, the same shall be voyde and reuoked, 1 R. Hen. 4. 9. See the force of this statute for the denomination in some respectes altered by the Statute next following.

8 ¶ But all panels returned, which be not at the suite of any partie, that shall be made, and put in, by every Shirife and their ministers, before any Justice of Gaole deliuerie, or Justices of peace (whereof one to be of the Quorum) in their open sessions, to enquire for the Queene, shalbe reformed by putting to, and taking out of the names of the persons which be so impanelled, by every Shirife and their ministers by the discretion of the same Justices, before whome such panels shall be returned. And the same Justice and Justices shall commaund every Shirife, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so reformed by the said Justices, be good and lawfull. And if any Shirife, or other ministers, at any time doe not returne the same panels so reformed, then every such Shirife or minister so offending, for every such offence shall forfeit xx. li. to the Q. & J. to be recovered by A. B. &c. wherein no W. E. P. &c. and the Queenes pardon shall be no barre agaynst the partie in the same, that shall sue any such action. 3. H. 8. 12.

panels reformed by the Justices.

9 ¶ The Justices of peace of every Shire of this Realme, may take by their discretion an enquest, (whereof every man shall haue landes and tenements to the yeerely value of xl. shillings at the least) to enquire of the concealement of other enquests taken before them and before other, of such matters and offences as are to be enquired and presented before Justices of peace, whereof complaint shall be made by bill or billes, as well within franchise as without. And if any such concealement be founde of any enquest had or made within the yeere after the same concealement, every person of the same Enquest shall be amerced for the same concealments, by the discretion of the same Justices of peace, the sayde amerciaments to be assessed in plaine sessions. 3. H. 7. 1. S. Leetes. 6. 11.

Enquest to enquire of concealment of other enquests.

10 ¶ No Shirife, undershirife, or bailife of libertie, shall put in any Recognisance of assises, iuries, enquestes, or attaints that shall passe out of their proper Countie, any person of their bailiwikes,

Sufficiencie of freeholde.

Jurors, Iuries, and Enquestes.

Shirife, crow-
ner, or gaplers
seruants,

Enquest tou-
ching þe life of
man, plea real,
or xl. markes
damnages.

Jurors to en-
quire of forcible
entry.

Jurors return-
ed before Es-
chetors or com-
missioners,

(except he hath lands and tenements to the perely value of £.s. at the least) or that shal passe within the County (except he hath lands to the value of xl. s. yeerely. 21. Ed. 1.) Neither shall any of the, or any other Bailife returne vpon any writ or precept to them directed, to returne any Enquestes in any panell thereupon to be made, any Baylifes, officers, or seruants to any Shirife, vnder Shirife, Shirifes clerke, Coroner, Steward of franchise, Bailife, or warden of prisons, in any panell by them so to be made, 23. H. 6. 10.

11 **C** No person shall be admitted to passe in any Enquest vpon triall of the death of a man, nor in any Enquest betwixt party and party in plea real, or in plea personall, whereof the debt and dammages declared, do amount to fourty markes, if the same person hath not lands, and tenements of the perely value of xl. shillings aboue al charges, so that he be chalenged for that cause by the party &c. 2. Hen. 5. 3. But this statute doeth extend onely to Enquestes to be taken or made betwixt denizen and denizen, and not to Enquestes or proofes to be taken or made betwixt aliens & denizens, according to þe stat of. 28. Ed. 3. 13. for that purpose ordeyned. 8. H. 6. 29.

12 **C** Upon complaint made to one, or more Iustices of peace, of entry or detaining of lands with force, the sayd Iustice shall make his precept to the Shirife of the same County, commaunding him in the Queenes behalfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere vnto the place where such force is, to enquire thereof, whereof euery one hath landes or tenements to the cleare perely value of fourty shillings, vpon euery of which Iurie the Shirife shall returne issues vpon the first precept twentie shillings, vpon the second fourty shillings, vpon the third a hundred shillings, and at euery day after, double. And if the Shirife, or any Bailife, hauing returne of writtes, be slacke and doe not duely execute the said precepts, he shall forfeit for euery default xx. li. to the Q. and also pay to her a fine. 8. H. 6. 9.

13 **C** If a Shirife or other person, which ought to returne writtes or precepts, doe returne before any Eschetor or Commissioner, any persons to enquire of lands or tenements, except euery of the same Iurie so returned, or other to his vse, haue landes or tenements of the perely value of fourty shillings aboue all charges within the same Shire where the Enquirie shall be made, he shall forfeite for euery person so returned, fourtie shillings (except the same Jurors be returned before an Eschetor in a Citie or Corporate Towne, or which is made by any person hauing priuiledge to make Eschetors.) 1. H. 8. 8. 3. H. 8. 2.

14 **I**f any Bailife, or other officer in any Countie of this Realme, do retorne or impanell in any panel to be taken or put in, or vpon any inquisition, or inquirie, befoze the Shirefe in his turne, other then such as be of good name and fame, and which haue lands or tenements of freeholde within the same Counties, to the peerely value of twentie shillings at the least, or els Copp holde lands and tenements holden by Custome of the manour within the sayde Countie to the perely value of sixe and twentie shillings viii. d. aboue all charges at least, he shall forf. for euery person so impanelled, or returned, not being of the sufficiencie aforesaid p.l.s. and the Shirefe other p.l.s. to the Q. and J. &c. to be recovered by A. of debt, wherein no E. p. &c. And euery indictment taken befoze the Shirefe in his turne, in any other maner, is voyd. 1. R. 3. 4.

Jurors in the Shirefes turne.

15 **E**uery person being the Queenes naturall subiect bozne, which either by name of a Citizen, or a freeman, or any other name worth enioy the liberties of any Citie, Borough, or Towne corporate, where he dwelleth, being worth in mouable goods to the cleare value of p.l. li. shall be admitted in triall of murders and felonies in euery sessions and gaoles of deliueries kept in and for the liberty of such cities, boroughs, or Townes corporat, albeit he hath no freehold. But this act extendeth not to any Knight or Esquire, dwelling, abiding, or resorting in, or to any such Citie &c. 23. H. 8. 13.

Triall of felonies in corporate towncs.

16 **T**he Shirefes of London haue authoritie to retorne in panels of all accions and suites depending in the Kings Bench, Common place, or Eschequer, and triable at Saint Martens the graund in London by Nisi prius, persons being citizens, hauing goods to the value of C. markes or aboue, to trie the issues ioynd in euery such accion or suite. And the persons so returned shall be swozne and do in all such Iuries likewise in euery thing, as other persons shall do, hauing lands &c. to the perely value of p.l.s. ouer all charges. The Shirefes of the sayd Citie shall retorne vpon the first distresse xx. pence in euery such accion or suite vpon euery of the Jurors impanelled to trie the issues ioynd of all thinges triable in London by proces of Nisi prius out of the said Courts, vpon the second distresse thre shillings foure pence, and vpon euery distresse after that, the double value, vntill a full Jury in euery such accion or suite shall appeare, and be swozne to trie the Issues ioynd in the same. And if the Shirefes make any retorne vpon such distresse, contrary to the forme aforesayd, they shall forsaite ten pound to the Queene and Informer, wherein no Wager, p. &c. 4. H. 8. 3. 5. H. 8. 5.

panels in London of suite depending in the Queenes courts at wellminster.

17 **E**uery Indictment to be taken befoze any of the Queenes

Yeofaile.

lawfully haue conuerted before the making of this Act. Anno 5. Elizabeth 2.

He that is
once punished
shal not be este-
sones troubled

16 ¶ If any person shall sustaine any penaltie, for faiture or losse, for or by reason of any offence committed contrarie to the effect of any of the foresayd Actes, he shall not be estesones vered, sued, or imperched for the same offence. 5. El. 2. 14. El. 11.

1 The duetie of those to whome any commission is directed to enquire of the decay of houses of husbandry and Tillage. S. Commission. 2. 3.

2 Where a husbandman being a housholder may take an apprentice. S. Laborers. 15.

Yeofaile.

After issue
there shalbe
Iudgement
notwithstan-
ding any Yeofaile
or mispleading.

¶ If any issue bee tryed by the othe of xii. or moze indifferent men for the partie plaintife or demaundant, or for the tenant or defendane, in any accion or suit at the Common lawe of this Realme, in any of the Queenes Courtes of recorde, then the Justice and Iustices by whom iudgement thereof ought to be giuen, shall procede and giue Iudgement in the same, any mispleading, lacke of colour, insufficient pleading, or Yeofaile, any misconuenance or discontinuance, any misconueying of proces, mistoyning of the issue, lacke of warrant of attourney for the partie against whom the same issue shall happen to be tryed, or any other default or negligence of any of the parties, their Counsaillors or Atturneys, had or made to the contrary notwithstanding. And the sayde Iudgementes thereof so to be had and giuen, shall stand in full force to all intents according to the said verdict, without any reuersall, or vndoing of the same, by writte of Error, or of false Iudgement, in like forme, as though no such default or negligence had neuer bene had or committed. 32. Hen. 8. 30. 2. Edw. 6. 32.

No stay of
Iudgement
for lacke of
forme.

2 ¶ If any verdict of xii. men or moze shalbe giuen in any accion, suit, Bill, plaint, or demaund in any Court of record, the iudgement thereupon shall not be stayed, or reuersed by reason of any default in forme or lacke of forme, touching false Latin, or varpance from the register, or other defaultes in forme, in any writ originall, or iudiciall, count, declaration, plapnt, bill, suit or demaund, or for want of any writ originall, or iudiciall, or by reason of any imperfect, or insufficient returne of any sherife, or other officer, or for want of any warrant of attourney, or by reason of any manner of default in proces vpon or after any ayde, pyper or voucher. And any such recorde nor iudgement after verdict giuen shall bee reuersed for any the defectes or causes foresayd, any law, statute, or vsage &c. notwithstanding. But this Act shall

shall not extende to any writ, declaration, or suit of appeale of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, Bill, Accion, or information, vpon any popular or penall statute. 18. El. 13.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other ordinaries, ha-
uing episcopall Iurisdiction, to punish and chastice such Priestes, clerkes, &c. being within the boundes of their iurisdiction, as shall bee conuicted befoze them by examination, and other lawfull prooffe (requisite by the lawe of the Church) of adulterie, fornication, incest, or any other fleshy incontinencie, by committing them to warde and pyson, there to abide, for such time as shalbe thought to their discretions conuenient, for the qualitie and quantitie of their trespass, & none of the sayd Bishops or ordinaries shalbe therfore chargeable, of, to, or vpon any Accion of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the Queene shall make collacion or presentation to a benefice in an others right, the title whereupon she groundeth shall bee well examined that it bee true, and if at any time befoze iudgement giuen, the title (vpon good information) bee not founde true, or iust, the collacion or presentment shall bee repealed, & the Patron, or the possessor which sheweth and proueth the title to bee false, shall haue as many writs in the Chancerie, as hee will. 25. Edw. 3. 3. And if the Queene doe present to a benefice, which is full of any Incumbent, the Queenes presentee shall not bee receiued to such benefice by the Ordinarie, vntill the Queene hath recouered her presentation by proces of lawe, in her owne Court. And if any presentee of the Queenes be otherwise receyued, and the Incumbent put out without due proces, the sayd Incumbent so put forth may commence his suite, within one yeere after the induction or the Queenes presentation. 13. Rich. 2. 1. or at any time after the yeere at his pleasure. 4. H. 4. 21. S. Laps. 3.

The Queene presenting in an others right.

The Queene presenteth to a benefice full of an Incumbent.

Indictments.

The words vi & armis, bz. cum Baculis, Cultellis, arcubus, & sagittis, or such other like, shall not of necessitie bee comprised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any aduantage by writ of Error, plea, or otherwise, to auoyde any such inquisition or indictment, for that the saide wordes, or any of them, shall not bee put in the saide inquisition or indictment, but the said

Words not necessary in indictments.

Indictments.

saide Inquisitions and indictments lacking the foresaid wordes, or any of them, shalbe taken to all intents as good and effectual in lawe, as if the said wordes were in them. 37. H. 8. 8.

Proces as
gainst Indict-
rees in an o-
ther countie.

2 ¶ The Iustices assigned to heare and determyne felonies, may direct their writs through all the Counties of England, where neede shalbe, to apprehend those which bee appealed, indicted, or outlawed of felony in one County, and bee dwelling or receiued in another Countie. 5. Ed. 3. 11.

Indictment of
persons dwel-
ling in foireine
counties.

3 ¶ Upon euery indictment, or appeale, by the which any of the Queenes liege people dwelling in other counties then there where the Indictment or appeale shalbe taken of Treason, felony, and trespassse, before Iustices of peace, or any other hauing power to take such indictments or appeales, or other Commissioners or Iustices in any Countie, franchise, or libertie within England, before any exigent awarded vpon any indictment or appeale to bee taken in forme aforesaide, immediatly after the first writ of Capias vpon euery such indictment or appeale awarded and returned, an other writ of Capias shall bee awarded, directed to the Sherife of the Countie whereof hee which is indicted is, or was supposed to bee conuersant by the same indictment, returnable before the same Iustices or Commissioners, before whom hee is indicted or appealed at a certaine day, containing the space of iii. monethes from the date of the sayde last writ, by the which writ of seconde Capias, it shall bee contained and commanded to the same Sherife, to take the body of him which is so indicted or appealed, if hee may be found within his Bailwicke, And if hee cannot be founde within his Bailwicke, that the Sherife shall make Proclamation in two counties before the returne of the same writ, that hee which is so indicted or appealed, shall appeare before the same Iustices or Commissioners in the countie, libertie, or franchise, where hee is indicted or appealed, at the day contained in the sayd last writ of Capias, to answer to the Queene, or to the partie of the felony, treason or trespass, whereof hee is indicted or appealed, after which second writ of Capias so serued, and returned, if hee which is so indicted or appealed doth not come at the day of the sayd writ of Capias returned, the Exigent shall bee awarded against such indicted or appellees, and euery of them. And if any Exigent bee awarded vpon any such Indictment or appell against the foresayde forme, or any outlawrie thereupon pronounced, the sayde Exigent and the Outlawrie thereupon pronounced, and euery of them shall bee voyde. And the party against whome such Exigent is awarded, or outlawrie pronounced, against the foresayde forme, shall not bee damaged

damaged in his lyfe, landes, or goodes &c. And euery one which is indicted or appealed in fourme aforesayde, after he is acquitted by perdict in fourme of lawe, may haue an Accion vpon the case, against euery Procurour of such Indictments or Appeales, in which accion there shall be like proces, as in an accion of trespassse Vi & armis. And if the sayde Procurours be attainted, the plaintife shall recover treble dammages. But this Statute extendeth not to indictments, or appeales taken in the Countie of Chester, Nor to any indictment or appeale of Felony or Treason, taken of any of the Queenes liege people, which at the tyme of the same felonie or treason supposed, is and was conuersant within the Countie wherof the indictment or appeale maketh mention, but the like Proces shall bee made against such indicted or appealed person as hath bene vsed. 8. H. 6. 10. S. Exigent. 5. 6.

Accion against
Procurours.

Indictment or
appeall in the
County of
Chester.

4 ¶ And if any such indictments taken before any Iustices of peace, or any other hauing power to take such indictments or appeales, or other Iustices or commissioners in any countie, fraunchise, or libertie of England, shalbe remoued into the Kings Bench, or els where by Cerciorare, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeale in forme aforesayde taken, immediatly after the first writte of Capias, vpon euery such indictment or appeale awarded, and returned, another writte of Capias shall bee awarded, directed to the Sherife of the Countie, wherof hee that is so indicted or appealed, is or was supposed to bee conuersant by the same indictment, or appeale, returnable in the Kings Bench, at a certayne day, contayning the space of thre monethes, from the date of the sayde last writte of Capias, according to the maner and fourme that the Iustices of peace and other ought to haue done, before such remouing. And if any Exigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesayde, or any outlawrie thereupon pronounced, aswell the same Exigent as the outlawrie and euery of them be voyd. 10. H. 6. 6.

Proces vpon
an indictment
remoued into
the kings
Bench.

5 ¶ If a man bee indicted of Felonie before Iustices to heare and determine in their sessions, the Sherife shall bee commaunded to attach his body by writte or precept called a Capias. And if the Sherife returne therein, that the body is not founde, immediately another writte or precept of Capias shall be awarded, returnable thre weekes after, and therein it shall be comprised that the Sherife shall seise all his cattels, and safely keepe them vntill the day of the writte or precept returned. And if the Sherife returne that the body is not found,

Proces vpon
an indictment
of felonie.

Indictments, Inholders.

found, and the indittee commeth not, the Exigent shall be awarded, and the cattels shalbe forf. But if he come and yelde him selfe, or be taken by the sherife, or other officer, before the returne of the seconde Capias, the goods and chattels shalbe saued. 25. Ed. 3. 14.

1 In what sort an ordinarie shall be indicted of extortion, or oppression, S. Ordinarie. 2.

2 That no indictor shall be put in enquests, vpon the deliuerie of the partie indicted, S. Iurors. 3.

3 Where Iustices of peace may charge one Enquest to indict another, S. Iurors. 9. Iustices of peace. 44.

4 For indictments taken in the county of Lancaster, or of any person dwelling in an other shire, S. Iurors. 17.

5 For indictments taken in an other county against any person dwelling in the county of Lancaster, S. Iurors. 18.

6 By what persons, and by whom empanelled, all indictments shalbe made, S. Iurors. 7.

7 That indictments taken before Sheriffes in their Turnes shall be deliuered to the Iustices of peace, of the same shire, S. Sherifes. 12.

8 That indictors being sued in spiritual courtes, shal haue a prohibition, S. Prohibition. 7.

9 That Iustices of peace may award proces against them which be indicted in the Sherifes Turne, S. Sherifes. 13.

10 For the order of taking indictments in the Sherifes Turne, S. Sherifes. 12.

Inholders.

How an Inholder shall sell hay, otes, liture.

Inholders or Hostlers, shall sell their hay and otes at a reasonable price, and shall take nothing for their Liture. 13. R. 2. 8. And if any Inholder doe take aboue a halfpenny more for a bushell of otes, then the common price in the market, and that be duely proued, he shall forfeite the quaduple value of that which he hath taken ouer, and that aswell at the parties, as at the Queenes suit. 4. H. 4. 25.

Howehead,

2 **E**uery Hostler or Inholder (except hereafter excepted) which maketh howehead in his house or els where, shall forfeite the treble value thereof. 13. R. 2. 8. 4. H. 25. But euery Hostler or Inholder, dwelling in any Towne or Village being a Thorough faire, or common passage within this Realme, and being no Citie, Towne corporat, or market town (wherein any common Baker exercising the occupation of baking, which hath bene prentice to the sayd occupation iii. peeres, is dwelling) may make within his house, howehead sufficient, lawfull and of due assise, according to the price of

of graine, any thing mentioned in either of the foresayd statutes, notwithstanding. 32. H. 8. 41. S. Iustices of peace. 50.

Inrolments.

NO manors, lands, tenements or other hereditaments shall passe, alter or chaunge from one to another, whereby any estate of inheritance or freehold shalbe made or take effect in any person or persons, or any vse thereof to be made by reason onely of any bargayne and sale thereof (except the same bargaine and sale be made by wytyng indented, sealed and inrolled in one of the Queenes courtes of record at Westm. or els within the same Countie or Counties, where the same manors, landes and tenements, so bargained and solde lye, or be, before the Custos Rotulorum, and two Iustices of the peace, and the Clerke of the peace of the same Countie or Counties, or two of them at the least, whereof the Clerke of the peace to be one, and the same inrolment to be had and made within six moneths next after the date of the same wytyng indented. 27. H. 8. 16.)

Inrolments of
bargaine and
sale of lands.

2 **T**he Custos Rotulorum, or Iustices of peace, & clerke shall take for the inrolment of euery such wytyng indented before them, where the land comprised in the same wytyng excede not the yeerely value of fourtie shillings, i. s. that is, twelue pence to the Iustices, and xii. pence to the Clerke, and for the inrolment &c. where the land comprised doeth excede the summe of xl. s. in yeerely value, v. s. that is, ii. s. vi. d. to the Iustices, and ii. s. vi. d. to the Clerke for inrolling the same deede. And the clerke of the peace of euery countie, shall sufficiently inroll in Parchment the same wytings indented, and shall at the ende of euery yeere deliuer the rolles thereof to the Custos Rotulorum of the same countie, there to remaine, to the intent that euery partie which hath to do therewith, may resort to him and see the effect thereof. 27. H. 8. 16.

The fees for
inrolment in
the countie.

3 **B**ut this acte doeth not extende to any landes, tenements or hereditaments lying within any Citie, borough, or towne corporate, wherein the Maiors, Recorders, or other officers haue auctoritie, or haue lawfully vled to inroll any evidences, deedes, or other wytings within their precincts and limits. 27. H. 8. 16. For recoveries, deedes inrolled, and releases taken and knowledged before them, be and remaine of like force to all intents, as any of them were before the making of the sayd act. 34. H. 8. 22.

Corporate
townes vling
to inrol.

4 **F**rom the feast of Easter next (being 11. Aprilis An. D. 1563.) all inrolments of such wytings indented (vz. as be before mentioned 27. Hen. 8. 16.) of any bargaine and sale after the said Feast of Easter

Inrolments
in Lancaster,
Chester, Dur-
ham.

Inrolments. Iointenancie.

to be made of any Manors, landes, tenements or other hereditaments set, lying, or being in the Countie of Lancaster, Chester and Bishopricke of Durham, being made and inrolled within sixe Monethes next after the date of any such writings indented in the Queenes Court of Chauncerie at Lancaster, or before the Queenes Justice or Justices of Assises at Lancaster aforesayde, concerning any Manours, landes, tenements or hereditaments within the sayde Countie of Lancaster in the Queenes Court of the Eschequer at Chester, or before the Queenes Justice or Justices of Assises at Chester aforesayd concerning any Manours, lands, tenements or hereditaments within the sayde Countie of Chester. Or in the Court of Chauncery at Duresme, or before the Justice or Justices of Assises at Duresme aforesaid, concerning any manors, lands, tenements or hereditaments within the said Countie of the Bishopricke of Duresme shall be accepted, deemed, reputed and taken to be as good and available in lawe to all intents, as if the same writings indented had bene made and inrolled in any of the Queenes Courts at Westminster, any thing in the sayd former act &c. notwithstanding. 5. El. 26.

Corporate
Townes.

5 **P**rovided alwayes that this Acte shall not extende to any Manors, landes &c. lying within any Citie, Borough or Towne corporate within any of the sayde Countie wherein the Maiors, Recorders, Bailifes, or other officer or officers haue authoritie and haue lawfully vled to inroll any Evidences, deedes, or other writings within their precinct or limits, any thing &c. notwithstanding. 5. Eliz. 26.

1 In what case it is necessary, that a Safecondite should be inrolled. S. Safecondite. 1.

2 That such things which concerne fines and recoveries may be inrolled. S. Fines, 19, &c.

3 For the office of inrolments, and fees of inrolments of fines and recoveries. S. Fines. 24.

Iointenancie.

Iointenancie
in assise pleas
ded by deedes.

If the tenant in assise of Nouel disseison alledgeth against the plaintife, that he holdeth the tenements &c. ioyntly infeofed with his wife, or with some straunger not named in the writte, and sheweth a deede that testifieth the same, and prayeth iudgement of the writ, if the plaintife offer to verifie by the assise, that the tenant at the day of the purchasing of the writte was sole tenant, then the Justices shall retayne the sayde deede in their keeping, as that which is in effect denyed. And they shall warne by writte the partie which is absent, that

that he appeare at a certaine day, together with the other tennaunt, to answer to the plaintife, aswell of the exception, as of the tenements demaunded, and put in view &c. At which day if both the said tenants appeare, and auowe the feoffement, they shall answer and maintaine the exception alledged by one of them, and likewise plead further to the Assise, as though the writte had bene purchased ioyntly agaynst them. And if it be found by the Assise that they were not ioyntly infeoffed, then though the Assise passe for the tenants against the pl. yet they shall be one yeere imprisoned, for alledging such exception. But the Iustices shall not admit any such exception by the Bailifes of any tenants. And if he which alledgeth that exception, absent himselfe at the day, and the other which is said Iointfeoffe appeareth and disauoweth the deed, yet the assise shalbe taken against the tenant that is absent by his default. And if it be found by the assise that they were not Iointfeoffees, at the day of the purchasing of the writ, and likewise that the tenant did disseise the plaintife, then the plaintife shall recouer his seison and his double dammages, and he that alledged the exception shalbe punished in fourme aforesayde. And if neither of the tenants come at the day, then the Assise shalbe taken against them by their default. And if it be found that the exception be true and lawfully alledged, the plaintifes writte shalbe quashed, whether both or one only come. 24. Ed. 1.

Iointenancie shall not be pleaded by Bailif.

2 ¶ In the same maner, if in assise of Mortdauncester, or Iuris vium, at the first day that the partie appeare, the tenant alledgeth the foresayd exception, and the plaintife offereth to veresie by assise, that the tenant at the day of purchasing of his writ was sole tenant, then the same proces, and order of proceeding shalbe obserued, as before is said in assise of Nouel disseison, & y^e offendoors in like sort punished. 24. E. 1.

Iointenancie pleaded in Mortdauncesster, or Iuris vium.

3 ¶ In other writtes whereby lands be demaunded, if at the first day of apparance, the tenant alledgeth the foresayd exception, and the demaundant offereth to veresie his writte by the Jury of the countrey, then the same proces shalbe obserued betweene the parties, vntill the Jury haue passed betweene them, and if it be found by the Jury, that the exception was truely alledged, the writ shall be abated. But if it be found that the exception was falsely and maliciously alledged to the hurt of the party, then the demaundant shall recouer seison of the lands demanded, and the tenant shalbe imprisoned as is aforesaid, and answer damages after the discretion of the Iustices. 24. Ed. 1. Stat. de coniunctim feoffat.

Iointenancie pleaded in any precipe.

1 Where, and by what meanes, iointenants are compellable to make partition, S, Partition, 2, 3, 4.

X.ii.

Iurors,

Jurors, Iuries, and Enquests.

What sort of
people shall be
returned upon
every Iurie.

Olde men
decrepit.

But xxiii.
summoned.

No indictor
shalbe put vpon
the delinquer of
the partie in-
dicted.

No officer of
the forrest shall
be swoyne in
Enquests.
Iuroz taking
reward to giue
his verdict.

Decies tantū.
Imbraccors.

Ambidexter.

Juroz in in-
dictments shal
be returned by
the Shirife,
without the
denomination
of others.

If any Shirife or Bailife doe put into any Iurie (others then such as be next neighbours, most sufficient, and least suspicious,) and is thereof attainted, he shal pay vnto the plaintife his double dammagēs, and be amerced vnto the D. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11.

2 **C** Old men about lxx. yeeres of age, being continually sicke, or diseased at the time of the summons, or not dwelling in the Countrey, shal not be put in Iuries, or petit assises, And there shalbe no mo summoned in one Assise then xxiii. West. 2. 13. Ed. 1. 37.

3 **C** No indictor shal be put in enquests vpon deliuerance of the indictees of felonie or trespassse, if he be chalenged for the same cause, by him which is indicted. 25. E. 3. 3. S. Challenge. 6.

4 **C** No Foster, Verderor, Regardour, Agistor, or other officer of the Forrest, shal be put in any Assises, Iuries, or Enquests, to be taken out of the same Forrest. 34. Ed. 1.

5 **C** If any Iurour swoyne in Assises, or other Enquestes to be taken betweene the Queene and the partie, or betweene partie and partie, do by himselfe or any other, take any thing of the plaintife or defendant to giue his verdict, and thereof is attainted, at the supre of the partie, which will sue for himselfe or for the Queene, or of any other person (entring his plaint by bill, immediately before the Iustices, before whome the Iurie was swoyne) the sayd Iurour shal pay tenne times so much as he hath receyued. And all those which be Imbraccors to leade and procure such Enquestes in the Countrey to make a gaine and profite thereof, shal be punished as the Iuroz, and if the Iuroz or Imbraccor so attainted haue not wherewith to make recompence in fourme aforesayde, he shal bee one yeere imprisoned, which imprisonment shal not be pardoned for any fine, and the partie grieved may haue his accion before other Iustices, if he will, But no Iustice or other Officer shal enquire of office, vpon any of the points of this statute, but onely at the suite of the partie, or of other as aforesayd. 34. Ed. 3. 8. 38. Ed. 3. 12. S. Attaint. 17.

6 **C** If any Iuroz in assises, Iuries, or enquestes, take of the one partie, and of the other, and be thereof duly attainted, he shal not after be put in any assises, iuries, or enquestes, but shal be sent to prison, and further punished at the Queenes pleasure. And the Iustices before whom such Assises, Iuries and enquestes shal passe, haue power to enquire and determine, according to this stat. 5. Ed. 3. 10.

7 **C** No indictment shal be made by any persons which be outlawed before Iustices of recorde, or which haue fled to sanctuarie for Treason, or felonie, there to haue refuge, but by Enquest of the Queenes liege lawfull people, returned by the Shirifs or Bailifes of

of franchises without any denomination to the Shirifes or Bailifes of franchises befoze made, of any person of the names which by him shalbe returned (except it be by the officers of the said Shirifes or Bailifes of franchises knowne and swoyne to make the same, and other ministers to whome it appertaineth by the lawes to make the same) And if any inditement be made in any point to the contrary, the same shall be voyde and reuoked. 11. Hen. 4. 9. See the force of this statute for the denomination in some respectes altered by the Statute next following.

8 ¶ But all panels returned, which be not at the suite of any partie, that shall be made, and put in, by euery Shirife and their ministers, befoze any Iustice of Gaole deliuerie, or Iustices of peace (whereof one to be of the Quorum) in their open sessions, to enquire for the Queene, shall be reformed by putting to, and taking out of the names of the persons which be so impanelled, by euery Shirife and their ministers by the discretion of the same Iustices, befoze whome such panels shall be returned. And the same Iustice and Iustices shall commaund euery Shirife, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so reformed by the said Iustices, be good and lawfull. And if any Shirife, or other ministers, at any time doe not returne the same panels so reformed, then euery such Shirife or minister so offending, for euery such offence shall forfeit xx. li. to the Q. & J. to be recouered by A. B. &c. wherein no W. C. P. &c. and the Queenes pardon shall be no barre agaynst the partie in the same, that shall sue any such action. 3. H. 8. 12.

panels reformed by the Iustices.

9 ¶ The Iustices of peace of euery Shire of this Realme, may take by their discretion an enquest, (whereof euery man shall haue landes and tenements to the peere value of xl. shillings at the least) to enquire of the concealment of other enquests taken befoze them and befoze other, of such matters and offences as are to be enquired and presented befoze Iustices of peace, whereof complaint shall be made by bill or billes, as well within franchise as without. And if any such concealment be founde of any enquest had or made within the peere after the same concealment, euery person of the same Enquest shall be amerced for the same concealments, by the discretion of the same Iustices of peace, the sayde amerciements to be assessed in plaine sessions. 3. H. 7. 1. S. Leetes. 6. 11.

Enquest to enquire of concealment of other enquests.

10 ¶ No Shirife, undershirife, or bailife of libertie, shall put in any Recognisance of assises, iuries, enquestes, or attaints that shall passe out of their proper Countie, any person of their bailiwikes, X.iii, (except

Sufficiencie of freeholde.

Jurors, Iuries, and Enquests.

Shirife, crowner, or gaolers servants.

Enquest touching life of man, plea real, or xl. markes damages.

Jurors to enquire of forcible entry.

Jurors returned before Escheator or Commissioners.

(except he hath lands and tenements to the perely value of £.s. at the least) or that shal passe within the County (except he hath lands to the value of xl.s. yeerely. 21. Ed. 1.) Neither shall any of the, or any other Bailife returne vpon any writ or precept to them directed, to returne any Enquestes in any panell thereupon to be made, any Baylifes, officers, or servants to any Shirife, vnder Shirife, Shirifes clerke, Coroner, Steward of franchise, Bailife, or warden of prisons, in any panell by them so to be made, 23. H. 6. 10.

11 **C** No person shall be admitted to passe in any Enquest vpon triall of the death of a man, nor in any Enquest betwixt party and party in plea real, or in plea personall, whereof the debt and damages declared, do amount to fourty markes, if the same person hath not lands, and tenements of the perely value of xl. shillings aboue all charges, so that he be challenged for that cause by the party &c. 2. Hen. 5. 3. But this statute doeth extend onely to Enquests to be taken or made betwixt denizen and denizen, and not to Enquests or proofes to be taken or made betwixt aliens & denizens, according to y^e stat of. 28. Ed. 3. 13. for that purpose ordeyned. 8. H. 6. 29.

12 **C** Upon complaint made to one, or more Iustices of peace, of entry or detaining of lands with force, the sayd Iustice shall make his precept to the Shirife of the same County, commaunding him in the Queenes behalfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere vnto the place where such force is, to enquire thereof, whereof euery one hath landes or tenements to the cleare perely value of fourty shillings, vpon euery of which Iurie the Shirife shall returne issues vpon the first precept twentie shillings, vpon the second fourty shillings, vpon the third a hundred shillings, and at euery day after, double. And if the Shirife, or any Bailife, hauing returne of wittes, be slacke and doe not duely execute the said precepts, he shall forfeit for euery default xx.li. to the Q. and also pay to her a fine. 8. H. 6. 9.

13 **C** If a Shirife or other person, which ought to returne wittes or precepts, doe returne before any Escheator or Commissioner, any persons to enquire of lands or tenements, except euery of the same Iurie so returned, or other to his vse, haue landes or tenements of the perely value of fourty shillings aboue all charges within the same Shire where the Enquirie shall be made, he shall forfeite for euery person so returned, fourtie shillings (except the same Jurors be returned before an Escheator in a Citie or Corporate Towne, or which is made by any person hauing priuiledge to make Eschetors.) 1. H. 8. 8. 3. H. 8. 2.

14 **C** If any Bailife, or other officer in any Countie of this Realme, do returne or impanell in any panel to be taken or put in, or upon any inquisition, or inquirie, before the Shirefe in his turne, other then such as be of good name and fame, and which haue lands or tenements of freeholde within the same Counties, to the yeerely value of twentie shillings at the least, or els Coppyholde lands and tenements holden by Custome of the manour within the sayde Countie to the yeerely value of sixe and twentie shillings viii. d. above all charges at least, he shall forfeit. for every person so impanelled, or returned, not being of the sufficiencie aforesaid xl. s. and the Shirefe other xl. s. to the D. and J. &c. to be recovered by A. of debt, wherein no E. p. &c. And every indictment taken before the Shirefe in his turne, in any other maner, is voyd. i. R. 3. 4.

Jurors in the Shirefes turne.

15 **C** Every person being the Queenes naturall subiect bozne, which either by name of a Citizen, or a freeman, or any other name doeth enjoy the liberties of any Citie, Borough, or Towne corporate, where he dwelleth, being worth in mouable goods to the cleare value of xl. li. shall be admitted in triall of murders and felonies in every sessions and gaoles of deliueries kept in and for the liberty of such cities, boroughs, or Townes corporat, albeit he hath no freehold. But this act extendeth not to any Knight or Esquire, dwelling, abiding, or resorting in, or to any such Citie &c. 23. H. 8. 13.

Triall of felonies in corporate townes.

16 **C** The Shirefes of London haue authoritie to returne in panels of all accions and suites depending in the Kings Bench, Common place, or Eschequer, and triable at Saint Martens the graund in London by Nisi prius, persons being citizens, hauing goods to the value of C. markes or above, to trie the issues ioynd in every such accion or suite. And the persons so returned shall be swoyne and do in all such Iuries likewise in every thing, as other persons shall do, hauing lands &c. to the yeerely value of xl. s. ouer all charges. The Shirefes of the sayd Citie shall returne upon the first distresse xx. pence in every such accion or suit upon every of the Jurors impanelled to trie the issues ioynd of all thinges triable in London by proces of Nisi prius out of the said Courts, upon the second distresse thre shillings foure pence, and upon every distresse after that, the double value, untill a full Jury in every such accion or suite shall appeare, and be swoyne to trie the Issues ioynd in the same. And if the Shirefes make any returne upon such distresse, contrary to the forme aforesayd, they shall forfeit ten pound to the Queene and Informer, wherein no Wager, p. &c. 4. H. 8. 3. 5. H. 8. 5.

panels in London of suite depending in the Queenes courts at Westminster.

17 **C** Every Indictment to be taken before any of the Queenes

Jurors, Juries, and Enquests.

Indictment in
the Countie of
Lancaster, of a
foyreine dwel-
ling in anas
ther Shire.

Justices in the Countie Palantine of Lancaster, or before any Shire-
rife in his turne, in the sayd Countie, whereby any person or persons
be supposed by the same indictment to be, or to have bene inhabiting
or conuersant out of the sayd Countie, and within any other County
within Englande, shall be taken by verdict of twelue men, whereof
euery of them or some other to their vse, shall haue landes and tene-
ments to the peerele value of a hundred shillings. And no proces
shall be made out of such indictment, before it be duely examined be-
fore the Justices, within the sayd Countie, whether the sayd Indic-
tours, and euery of them, at the time of such indictment taken, had
landes and tenements within the sayde Countie of Lancaster to the
peerele value of a hundred shillings aboue all charges, And if it be
found that euery of the sayde Indictors at the time of the saide indict-
ment taken, had not lands &c. to the sayde peerele value of an hun-
dred shillings, then the indictment, as to such persons so indicted, sup-
posed by the sayd indictment to be inhabiting or conuersant out of the
said County of Lancaster, shall be voyd. 33. H. 6. 2.

Venire facias
where ech Ju-
ror must dis-
pend xl. s. of
freeholde.

18 ¶ And in like sort euery such indictment taken in any other
Countie, of any person inhabiting within the County of Lancaster,
shall bee taken by the verdict of twelue men, euery of them hauing
landes to the peerele value of £.s. in that other County, or els the
indictment shall be voyd. 33. H. 6. 2.

Sixty Hundredes
boys.

19 ¶ In euery case where such persons as shoulde passe vpon
the tryall of any issue ioyned in any of the Queenes Courts of record
(commonly holden at Westminster,) ought by the lawe to dispende
xl. s. by the peere of freeholde for terme of life, the writtes of Venire
facias, which shall bee awarded for the impanelling of such persons
as shall trie the same issue, shall bee *Præcipimus &c. quod venire
facias xii. liberos &c. de visen. de B. quorum quilibet habeat qua-
dragint. solid. terre, tenement. vel reddit. per annum, per quos &c.*
And vpon euery writte which shall haue the sayde clause, the Shi-
rife or other minister to whome the making of the sayde panell shall
appertaine, shall not returne in any such panell, any person vnlesse
he may dispende fourtie shillings by the peere at the least of estate of
freeholde, out of auncient demesne, within the Countie where the
issue is to be tried, and also shall returne in euery such panell sixe suf-
ficient Hundredors at the least, if there be so many within the sayde
Hundred where the venewe lieth, vpon paine to forfait for euery per-
son returned in any such panell, that can not dispende fourtie shillings
by the peere, twenty shillings, and for euery Hundredor omitted, twen-
ty shillings. 35. H. 8. 6. 2. Ed. 6. 32.

20 **C** And in euery writ of Venire facias, wherein the sayd clause (*Quorum quilibet &c.* shalbe omitted) the Shirefe or other minister to whom the making of the panel shall appertaine, shal not returne in any such panell any person vnlesse he may dispend some landes or tenements of estate of freeholde, out of auncient demesne, within the Countie where the issue is to be tryed, and also shall returne in euery such panell fixe sufficient Hundredors at the least, if there be so many within the Hundred where the beneue lieth, vpon the like paine, as is befoze limitted. But neither of these foresayd two branches, shal extend to any Citie or Towne corporate, or to any Shirefe or minister in the same, for the returne of any panell to be made of persons inhabiting in the sayd Cities &c. but they may returne such persons as befoze they might haue done. 35. H. 6. 8. 2. Ed. 6. 32.

Venire facias
where the Jurors need not dispend xl. s. of freehold.

Jurors returned in townes corporate.

21 **C** In euery writte of Habeas corpora, or Distringas, with a Nisi prius deliuered of recorde to the Shirefe or other minister to whom the making of the returne shall appertaine, where a full Jury shal not appeare befoze the Iustices of assise, or Nisi prius, or else after apparance of a full Iurie, by chalenge of any of the parties, the Iurie is like to remaine vntaken for default of Iurozs, then the same Iustices vpon request made by the plaintife or demandant, may command the Shirefe or other minister, to whom the making of the said returne shall appertaine, to appoynt as often as neede shall require, so many of such other able persons of the sayd Countie, then present at the said assises or Nisi prius, as shall make vp a full Iurie, which persons so to be named and impanelled by the Shirefe or &c. shall be added to the former panell, and their names annexed to the same, and euery of the parties shall and may haue his challenge to the Iurozs so named and annexed to the former panell, in such wise as if they had bene impanelled vpon the Venire facias, and the Iustices shall and may proceede to the tryall of euery such issue, with those persons that were befoze impanelled and returned, and with those added and newly annexed to the same, in such wise as they might or ought to haue done, if all the sayd Iurozs had bene returned vpon the Venire facias. And the same triall is as good to all purposes, as if it had bene by twelue of the Iurozs impanelled, and if such persons, as the said Shirefe &c. shall name and appoynt, or any of them after they shall be called, be present, and doe not appeare, or after their apparance, doe wilfully withdraue themselves from the presence of the Court, then the Iustices may set such fine vpon euery such Iuroz, as they shall thinke good, the same to be leuied in such sort, as issues foresayted by Iurozs for default of their apparance haue bene accustomed. But neuertheless,

Tales de circumstantibus, at the pl. request.

Jurors, Juries, and Enquests.

Tales de circum-
stant. in Wales,
Chester, Dur-
ham and Lan-
caster.

lesse, such persons as were returned in the panel by the Shirefe or &c. that shall not appeare, but make default, shall lose the issues vpon them returned, in such wise, as if the Jurie had remained for default of Jurors, 35. Hen. 8. 6. 2. Ed. 6. 32. And the benefite of the foresayd Statute of 35. Hen. 8. shall extend to the xii. Shires of Wales, and to the Counties Palentine of Chester, Durham and Lancaster, for the making vp of a full Jurie de Circumstantibus, the triall with them, &c. 5. Eliz. 25.

Tales de circum-
stant. where the
Queene or o-
ther for her
or pl.

22 ¶ And euery clause, sentence, article and prouiso comprised in the sayd act of 35. H. 8. shall be taken and expounded to giue the like and same aduantage to the Queenes Maestie, her heires, and successors, and to all such persons as shall pursue any accion, bill, plaint, or information for the Queene, her heires and successors onely, or for her and the partie, vpon request made to the Iustices for the Queene, or himselfe, by the Pursuant or his Atturney, as the partie plaintife, in any other accion should or might haue, by vertue of the foresayde Act. 4. & 5. H. 8. P. 7.

Tales de circum-
stantibus for
the def.

23 ¶ In all cases where the partie plaintife, or demaundant by any statute heretofore made, may haue vpon his request, made vnto the Iustices of Nisi prius, within England, or to the Iustices of Oyer, or of assises of the xii. Shires of Wales and of the Counties Palentine of Lancaster, Chester and Durham, a Tales de circumstantibus, in euery such case, the parties tenants, actors, auowants and defendants (if the plaintiffs or demaundants shal vpon the calling of the principall panell or Jurie, forbear or refuse to pray the same) shal & may vpon their request haue vpon the same record, and by the same Iustices, the Tales, or Talesses de circumstantibus, vnto them graunted, in like manner, forme and degree to all respects, as the plaintife or demaundant in any suite or accion may haue the same, by any Statute or ordinance heretofore made or set forth. 14. El. 9.

Tales for the
def. in popular
accions.

24 ¶ And likewise the def. shall be admitted to pray and haue a Tales de circumstantibus in all popular accions, informations, billes, or suites commenced or had in any of the Queenes Courtes of recorde, vpon any penall lawes or statutes, wherein any person shall sue, prosecute or informe, as well for the Queene, her heires and successors, as for himselfe, whereupon issue shall be ioyned, to be tryed by the Countrey. 14. El. 9.

Issues return-
ed vpon Jur-
ors.

25 ¶ Upō euery first writ of Habeas corpora, or Distringas, with a Nisi prius deliuered of recorde to the Shirefe or other minister, to whom the making of the returne shal appertaine, the said Shirefe &c. shall returne in issues vpon euery person impanelled & returned vpon any

any such writte, at the least v.s. at the second writte &c. x. s. at the least, and at the third writte &c. xiii. s. iiii. d. and vpon euery writte that shall be further awarded to trie any such issue, the double issues last before specified, vntill a full Iurie be swoyne, or the proces otherwise ceased or determined, vpon payne to forsayte for euery returne made to the contrary, siue pound. 35. H. 8. 6. 2. Ed. 6. 32.

26 ¶ If the graund Iurie in attaint appeare not vpon the first distresse had against them, so that the Iurie for their default do remaine, he that maketh default shall forf. to the Queene vpon the first distresse xx. s. vpon the second distresse xl. s. and after making default, for euery default siue pound, and the like forsaiture shal they make which be named in the Tales. 23. H. 8. 3. 13. El. 25.

Iuries in attaint.

27 ¶ Upon a reasonable excuse for default of apparance of any Iuroz sufficiently prooued before the Iustices of assise or Nisi prius at the day of their apparance by the othes of two lawfull and honest witnesses, the same Iustices may discharge euery such Iuroz of the issues vpon him returned, and the Shirife or other minister hauing commaundement by the Iustices, to omittle the returning of such issues vpon the Iuroz, shalbe discharged of the penalties for the not returning of the said issues. If the assise or Nisi prius be discontinued for the not coming of the Iustices, or for any other cause other then for lacke of Iuroz, then euery of the Iuroz shalbe discharged of forf. of any issues vpon him returned. And also the Shirife or other minister shalbe discharged for the not returning of the issues. 35. H. 8. 6. 2. Ed. 6. 32. 5. El. 25.

Excuse for default of Iuroz apparance.

28 ¶ If vpon any writte of Habeas corpora, or Distringas, with a Nisi prius, issues be returned vpon any Hundredors or Iuroz by the Shirife, or other minister, to whom the execution of the same writte shal appertaine, whereas the same Hundredors and Iuroz shal not be lawfully summoned, warned or distrayned in that behalfe, then euery such Shirife or minister, shal lose for euery such offence, double so much as the said issues returned shal amount vnto, to the Queene and to be recovered by A. J. &c. wherein no W. C. P. &c. 35. Hen. 8. 6. 2. Ed. 6. 32. 5. El. 25.

Issues returned vpon a Iuroz not summoned.

29 ¶ In all maner of Enquests, & proofes, which be to be taken or made amongst Aliens and Denizens, be they Marchantes or others, as well before the Maior of the Staple, as before any other Iustices or ministers, although the Queene be partie, the one halfe of the Enquest or prooffe shal be of Denizens, and the other halfe of Aliens, if so many Aliens be in the Towne or place where such Enquest or prooffe is to be taken, that be not parties, nor with the parties in

An Enquest shall be, de medietate lingue, where an alien is partie.

Iurors, Iuries, and Enquests.

in contracts, plects or other quarels wherof such Enquests or plects ought to be taken. And if there be not so many aliens, then shal there be put in such Enquestes or plects as many aliens, as shall be found in the same Townes or places, which be not thereto parties, nor with the parties as afoze is sayde, and the remanent of Denizens, which be good men and not suspicious to the one party nor to the other. 25. Ed. 3. 8. 28. Ed. 3. 13. 2. H. 5. 3. 8. H. 6. 23.

Egyptians.

30 ¶ But if it happen any outlandish person, calling himselfe an Egyptian or any such stranger, to commit within this Realme any murder, robberie or felonie, and thereof be indicted and arraigned, and do pleade not guiltie, or any other plea triable by the Countrey, then the Enquest that shall passe betweene the Queene and such partie, shall be altogether English men. 22. H. 8. 10. And in like sort shall the Enquest be, where any of the sayde Egyptians is indicted of felonie for continuance within this Realme by the space of one moneth, 1. & 2. H. 8. H. 4. 5. Eliz. 20.

Where Iuries shall not be compelled to appeare at Westminster.

31 ¶ No iury shalbe compelled to appeare in any of the Queenes Courts at Westminster, for the triall of any issue in any suite, vpon any penall lawe, for any offence committed aboue thirtie miles from the Citie of Westminster, except in case where the Atturney generall for the time being, for some reasonable cause in that behalfe shewed, shall require the same to be tryed at the Barre in any of the Courts of the Queenes Maestie, her heires or successors at Westminster afoze-sayd, which request shall be noted on the backeside of the Witte of Distringas thereupon awarded, to the ende the Shirife or his Bailife may and shall signifie the same to the Iurie that are in such cases impanelled. 18. El. 5.

The Iury may giue their verdict at large.

32 ¶ The Iustices of assise shal not compell the Iuroys precisely to say that it is a disseison, or not, so they will declare the trueth of the matter, and requyre the Iustices helpe. But if they willingly say, that it is a disseison or not, their verdict shall be recepued at their owne perrill, Westminster. 2. 13. Ed. 1. 30.

1 That Iuries taken by the Marshall of the Queenes house, shall be of the Countrey thereabout, S. Marshall. 4.

2 That a Iurie charged to enquire of trespassse committed within a Forest, shall giue their verdict where they receiued their charge. S. Forests. 7.

3 Of what sufficiencie Iurors returned to inquire of Riot, Rout or vnlawfull assemblie ought to be, S. Riots. 7. 14.

4 Of what sufficiencie Iurors returned in attaint ought to be, S. Attaints. 1. 6. 7. 14. 21.

5 Where

5. Where the Iurie shalbe de Medita lingua. S. Attaint. 21.

6. Where Iurors may be impanelled in once Countie to enquire of any act, thing, or matter in another. S. Attaint. 7.

7. What Iurors shall be impanelled for the trial of him which feloniously imbeleseth a record. S. Felonie. 18.

8. Where a Iurie shall be taken for an infant as though hee were of full age. S. Age. 2.

9. Within what time panels of assises shalbe arrayed and copies deliuered to the parties. S. Assise. 8.

10. Where a Tales shalbe awarded into an other Countie, then where the issue is to be tried. S. Attaint. 7.

Iustices of Assise, and gaole deliuerie.

NO Lord nor other of the Countrey great or small, shall sit vpon the Bench with the Iustices of assise in their sessions, in any of the Shires in England, vpon paine of a great forfayture to the Queene, neither the Iustices shall suffer the contrary to be done. 20. R. 2. 3.

No man shall sit with Iustices of assise.

2. **N**O Justice, nor other man learned in the lawes of this realme shall vse nor exercise the office of Justice of assise, within any Countie where he was bozne, or doth inhabite, vpon paine to forfayt for euery offence done contrary to this act C. li. to the Q. & J. to be recovered by A. J. &c. wherein no W. E. P. But this Act doth not extend to any Clerke of assises associate to any Justice of assise, for he may exercise the office of Clerkship of assise in any Countie, Citie, or towne, where he doth dwell, or was bozne, Neither doth this Act extend vnto the Iustices, Justice Clerkes, or Clerke of assises within the Duchie & Countie Palentine of Lancaster, nor to the Iustices of the one Bench or other for taking, bearing or determining assises in the sayd Courts, nor to any Justice that shall take any Assise by or vpon adiournement for difficultie of the same, nor to any Maiors, Shirifs, Recorders, Stewardest, Bailifes, Sutors, or other Officers in any Citie, Borough, or Towne, but that they may be Iustices of assise, of fresh force, and of other assises, in the same Citie, Borough, or town, where he or they do dwell, or were bozne, as they might haue bene before. 33. H. 8. 24. 8. R. 2. 2.

No man shall be Justice of assise in his own Countie.

3. **I**ustices of assise and gaole deliuerie, shal keepe their sessions in the principall and chiefe Townes of euery Countie, v3. where the Countie Courts of the same Counties be holden, or shalbe holden. 6. R. 2. 5. And the sessions of the Iustices of assise & gaole deliuerie within the Countie of Cumberland shalbe holden in the time of peace and truce in the Citie of Carlisle and in none other place. 14. H. 6. 3.

where Iustices shal keepe their sessions.

1. What suites commenced before Iustices of assise shall not bee disconti-

Iustice and right. Iustice of peace.

discontinued by death, newe commission, association, or not coming of the Iustices. S. Discontinuance. 2. 6.

2 That newe Iustices of gaole deliuerie haue auctoritie to giue iudgement against a prisoner found guiltie, and repried. S. Discontinuance. 5.

Iustice and right.

Iustice shalbe solde, deferred, or denyed to no man. Magna Charta. 9. H. 3. 29. And the Iustices of any Bench or Court whatsoeuer, shall not let to doe, or execute the common lawe for any commaundement which shal come vnto them, vnder the great seale or priuie seale. 14. Ed. 3. 14.

Iustice of peace.

Who shalbe
Iustices of
peace.

In euery Countie of England, good and worthie men which be no maintainers of euill, nor Barrators in the Countrey, shalbe assigned Iustices of peace. 1. Ed. 3. 16. which Iustices shalbe assigned (of the Lordes. 34. Ed. 3. 1.) and the most worthie and sufficient Knights, Esquiers, and men learned in the lawe, of the same Counties. 13. R. 2. 7. by the aduise of the Chauncelloz, and the Queenes Counsell, without taking other persons dwelling in forraigne Shires to execute the same office, except Lordes and Iustices of assise, and the Queenes chiefe Stewardes of her Duchie landes in the North and South partes, for the time being. 2. H. 5. 1. And the Iustices of peace of euery Shire named of the Quorum, shall be resident within the same Shire, except Lordes named in the Commission of the peace, and also except the Iustices of the one Bench and the other, the chiefe Baron of the Exchequer, Serieants at the lawe, and the Queenes Atturney for the time that the same Iustices, chiefe Baron, Serieants at the lawe, and the Queenes Atturney be attending and occupied in the Queenes Courts, or otherwise in some other place occupied in the Queenes seruice. 2. H. 5. 4.

Iustices shall
be resident
within the
shire.

Bishop of
Elie.

Durham.

Poyke.

Of what kind
they ought
to be.

2 **T**he Bishop of Elie and his successours, and their tempozall Stewardes of the Isle of Elie for the time being, shall be Iustices of peace, within the sayde Isle, and shall vse within the same Isle all things that doe belong to any Iustice of peace within any Countie of this Realme, and so shall the Bisshoppe of Durham &c. and his tempozall Chauncellour of the Countie Palentine of Durham, bee Iustices within the same Countie &c. And in like sort shal the Archbisshop of Poyke &c. and his tempozall Chauncellour of the Shire and Libertie of Hexam called Wextolscham, be Iustices within the same

3 **N**o man shalbe appoynted Iustice of peace in any Countie, if he

if he haue not landes or tenements to the value of twentie pound by peere, and if any man be ordeined Iustice of peace in any Countie, which hath not landes and tenements to the sayde value, he shall giue knowledge thereof to the Chauncelloz of England, which shal put an other which is sufficient in his place, and if he doe not giue notice thereof within one moneth, after he hath knowledge of the same commission, or if he sitte or make any warrant, or precept, by force of such commission, he shall be put out of that commission, and also shall forfeite twentie pound to the Q. and A. to be recovered by action of debt at the common lawe. But this Statute doeth not extend to Cities, Townes, or Boroughs which be Counties incorporat of themselves, nor to cities, townes, or Boroughs which haue Iustices of peace of any persons dwelling therein by the Commission or graunt of the Queene or any of her progenitors, and if there be not sufficient persons learned in the law, and of good gouernance in the same Countie hauing landes and tenements to the value aforesayd, the Chauncelloz of Englande by his discretion may put other persons learned in the law in such Commissions, though they haue not landes or tenements to the value aforesayd. 18. H. 6. 11.

4 **I**ustices of peace shall be sworne, duely and without fauour to keepe and put in execution all Statutes and ordinances touching their offices. 13. R. 2. 7. And euery Iustice of peace, before he shall take vpon him, or be allowed to exercise the same office, shall take and pronounce a corporal othe vpon the Euangelists, for the maintenance of the Queenes iurisdiction ouer all estates, and for the abolishing of forreine powers repugnant to the same. 1. El. 1. For the forme of the othe. S. Queene. 4.

Iustices othe.

5 **I**ustices of peace shall holde their Sessions foure times in the yeere, That is, the first weeke after the feast of Saint Michael, the first weeke after the Epiphanie, in the first weeke after the Clause of Easter, and the first weeke after the translation of Saint Thomas the Martyr, and more oft if neede be. And the same Iustices shall hold their Sessions through the Realme of England in euery of the aforesayde weekes yeerely. 2. Hen. 5. 4. Euery of which foure Sessions the sayde Iustices shall holde by the space of thre dayes if neede bee, vpon payne to be punished by the aduice of the Queenes Counsell at any mans sute which will complaine, But the Iustices of the one Benche or the other, or the Sergeantes of the Lawe, where they be in Commission of the peace, are not bound to keepe the Sessions foure tymes in the yeere, as other Commissioners which

Quarter sessions.

Iustices of peace.

which be continually dwelling in the Countrey, but they shall doe it when they may wel intend it. 12.R.2.10. and Iustices of peace of the Countie of Middlesex are discharged of the said penaltie, for not keeping Sessions foure times in the yeere, (the Court of the Kinges Bench sitting in the same Countie) But the Iustices of the sayde Countie of Middlesex shal keepe their Sessions twice in the yeere at the least, and moze often if need be, for any riot, or forcible entry made within the same Countie, upon the paines and forfeitures by law for such offences prouided. 14.H.6.4.

Iustices wages.

6 ¶ Every Iustice of peace shall take for his wages liii. s. a day during the time of their sessions, and their Clerkes ii. s. of the fine and amerciaments rising & comming of the same sessions, by the hands of the Shirife. 12.R.2.10. But no Duke, Earle, Baron, or Baronet, being Iustices and keeping the sessions, shall take any wages for the same office. 14.R.2.11.

Estreats.

7 ¶ Iustices estreats shalbe double, and one part shalbe deliuered by them to the Shirife, to leaue the money thereof rising, & to pay to the Iustices their wages by the Shirifes hand, by indenture made betwixt them, And the Iustices shall put their name to the said estreats, with the number of the dayes of their sessions, that the Shirifes may knowe to whom to pay wages, and to whom not, And the Barons of the Eschequer, whom to allow and whom not. 14.R.2.11.

Iustices auctoritie, and what things they are to enquire of.

8 ¶ The Iustices of peace or thre of them at the least whereof one to be of the Quorum, in euery shire of this Realme & Wales, and all other places within the Queenes dominions, haue auctoritie to take information by the deposition of two honest and lawfull persons at the least, And after to enquire by the othes of twelue men in euery their foure quarter Sessions, of all and singular such accusations and informations made of any the offences prohibited by the statute prouided. 1.Ed.6. against such as shal speake vnrerently against the Sacrament of the bodie & blood of Christ &c. and for the receiuing thereof vnder both kindes within the limites of their Commission. And vpon euery such accusation and information the offender shall be enquired of, and indicted before the said Iustices of peace, or thre of them at the least, of the said contempts and offences, by the verdict of twelue men, if the matter of the said accusation and information shall seeme to the sayd Iurie good and true, And the sayd Iustices of peace, or thre of them at the least, before whom any such presentment, information, and accusation shalbe made, shall examine the accusers, what other witnesses were present at the committing of the said offence, and how many others, then the accusers, haue knowledge thereof, and haue auctority by

Vnrerent speaking against the Sacrament.

by their discretions to binde by recognisance as well the sayde accusers, as all such other persons, whome the accusers shall declare to haue knowledge of the offences by them presented and informed, euery of them in five poundes to the Queene to appeare before the saide Iustices, before whome the offendour shalbe tried, at the day of his triall and deliuerance, And the Iustices of peace, or thre of them at the least, haue aucthoritie to make proces against euery person so indicted, by two Capias, an Exigent and by Capias Velagatum, as well within the limittes of their Commission, as into all other shires and places of this Realme, Wales and other the Queenes dominions, as well within liberties as without, and the same proces shalbe good in the lawe to all intentes, and vpon the apparance of the offendor, they haue aucthoritie to determine the sayd offences, according to the lawes of this realme and effect of this Act. And also they haue aucthoritie to let any person so indicted, by their discretions, to bayle for his apparance to be tryed according to the tenour of this act, And the sayd Iustices of peace or thre of them at the least, at their Quarter Sessions where any offendour shall be indicted of any of the offences aforesayde, shall awarde a writte in the Queenes name to the Bishoppe of the Dioces, wherein the offence is supposed to bee done, requiring him to bee in his owne person, or by his Chauncellour or other his sufficient Deputie, learned, at the Quarter Sessions in the sayde Countie to bee holden, when and where the offendor shall bee arraigned and tryed, appointing in the sayde writte the day and place of the arraignment, which writte shall bee of this foyme.

Elizabeth &c. Epo. L. Salutem. Præcipimus tibi quod tu, Can-
cellarius tuus, vel alius Deputatus tuus sufficienter eruditus, sitis
cum Iusticiariis nostris ad pacem, in Com. nostro B. conseruand'
assignat' apud D. tali die, ad sessionem nostram ad tunc & ibidem re-
nendam, ad dandum consilium & aduisamentum eisdem Iusticiariis
nostris ad pacem, super arraiment & deliberationem offendent'
contra formam Statuti concernen, sacrosanctum sacramentum Al-
taris. But no person shalbe indicted of any contemptes or offen-
ces aforesayde, but onely of such as shall bee done within thre mo-
nethes next after the offence committed, But in all trials for any such
offendours before the sayde Iustices, the person complayned on, and
arraygned, shall bee admitted to purge or trie his innocencie, by as
many or moe witnesses in number, and of as good honestie and cre-
dence, as the witnesses be, which bee deposed against him. 1. Ed. 6. 1.
1. Cl. 1. S. Sacraments. 1.

21 writte to the
Bishop.

Iustice of peace.

Maintaining
the authoritie
of the Bpshoy
of Rome.

9 **I**ustices of peace within the limites of their Commission, or two of them at the least, whereof one to bee of the Quorum, haue authoritie in their quarter Sessions, to enquire of all offences and contemptes committed by any person resiant within any of the Queenes dominions, or vnder her power, which shall by writing, cyphering, printing, preaching, or teaching, aduisedly and wittingly stande with, extoll, mainteine, or defend the iurisdiction, or power of the Bpshoy of Rome, or his sea heretofore claymed &c. or shall attribute any such iurisdiction or preeminence to the saide Sea of Rome, or to any Bishop thereof, in like maner as they may of other offences against the Queenes peace, And shall certifie euery presentment before them or any of them made, concerning the same, or any parte thereof, into the Kinges Benche within fourtie dayes after any such presentment made if the Terme be then open, And if not, at the first day of the full Terme next following the sayde fourty dayes, vpon payne that euery of the sayd Iustices before whome such presentment shall be made making default of such certificat, to forsaite for euery default to the Queene, her heires and successours one hundred pound. 5.El.1. S. Rome.1. And all and euery offences against the Acte provided. Anno. 23. Eliz. (to retaine the Queenes Maiesties subiectes in their due obedience) or against the Actes of the 1.5. or 13. yeeres of her raigne, touching acknowledging of her Maiesties supreme gouernment in causes ecclesiasticall, or other matters touching the seruice of God, or comming to Church, or establishment of true religion within this Realme, shall and may bee inquirable as well before Iustices of peace, as other Iustices named in the same Statutes, within one yeere and a daye after euery such offence committed. And Iustices of Oier and Terminer, and Iustices of Assise, and of Gaole deliuerie in their seuerall limites, haue power to enquire, heare, and determine of all offences against this Statute, And Iustices of peace in their open quarter Sessions of peace, haue power by vertue of this Acte to enquire, heare, and determine of all offences against this Acte (excepte treason and Conspiracy of treason) 23. Eliz. 1. S. Rome. 7. 8. Sacraments. 10. 11. &c.

5.1. Eliz. 1. 2.
5. Eliz. 1.
13. Elizab. 2.
S. Queene.
Rome. Sacra-
ments &c.

Striking in a
Church.

10 **E**uery person which doeth maliciously strike any other with a weapon in any Church, or Churchyarde, or doeth drawe any weapon in a Church, or Churchyarde, to the intent to strike an other, being convicted by verdict of twelue men, by his owne confession, or by two lawfull witnesses before the Iustices of peace, in their Sessions, shall bee adiudged by the same Iustices to haue

to haue one of his eares cut off, and if hee haue no eares, to bee burned in the cheeke with a hotte yron, with this letter. f. 5. Edw. 6. 4. S. Fighting. 4.

11 ¶ All and singuler Iustices of peace, within the limittes of Preachers, their commissions, haue authoritie to enquire of all and singuler offences & misdemeanors committed contrary to the Statute provided, 1. H. against offenders of preachers, and other ministers of the Church, and to heare and determine the same, and to set fines and amercements of the said offender, as in the sayde Statute is limited. 1. H. 3. S. Preachers. 1. &c.

12 ¶ Iustices of peace haue authoritie within the limittes of Buggerie, their Commissions to heare & determine the offence of Buggerie, as they do in cases of other felonies. 25. H. 8. 6. 5. Cl. 17.

13 ¶ Iustices of peace in their quarter Sessions in euery shire of this Realme haue authoritie to enquire, heare and determine all and euery such felonies which shall bee committed by any person which shall sell, exchaunge, or deliuer within Scotlande, or the batable grounde betwixt Englande and Scotlande, to the vse of any Scottish man, any Horse, Gelding or Mare, or shall sell, exchaunge, or deliuer within this Realme, Wales, Berwicke, or the marches or in the sayd batable ground, to the intent to be conueyed into Scotlande, any Horse, Gelding or Mare, without the Queenes speciall licence, vnder her great seale. 23. Hen. 8. 16. 1. Cl. 7. S. Felonie. 1. Horses. 13.

14 ¶ Iustices of peace haue power to enquire, heare, and determine the offences of all Souldiours mustring & receiuing the Queenes wages, which doe depart from the Captaine within their terme, without licence, as they do and may in other cases of felony. 18. H. 6. 19. 2. Cl. 6. 2. S. Captaines. 3. Felony. 23.

15 ¶ Iustices of peace in euery shire within the Queenes dominions, haue authoritie to enquire of euery person offending contrary to the statute provided against carrying ouer Sea, Rammes, Lambes, and other sheepe alive, and to heare and determine euery offence committed contrary to the effect of the same, according to the lawes of the Realme. 8. Cl. 3. S. Sheepe. 1. Felony. 2.

16 ¶ At euery such time, as any information shall bee made of any vnlawfull hunting by night, or with paynted faces, in any Forrest, Parke, or Warren, to any Iustice of peace, of the Countie where such hunting shall bee, of any person suspected thereof, it shall be lawfull to the same Iustice to make a warrant to the Sherife, or to any Cunstable, Bayliffe, or other Officer of the same

Iustice of peace.

Countie, to arrest and take the same person, and to haue him before the maker of the same warrant, or any of the Queenes Counsell, or Iustice of peace of the County, And the Counseler or Iustice before whom such person shalbe brought, haue power to examine him of the sayde hunting, and of the doers thereof, and if hee conceale the offence, or any offendor, it is felony, and if hee confesse the trueth, and all that hee shal be examined of, and knoweth in that behalfe, then the offence of hunting by him done shalbe against the Queene, but trespasse finable, to be assessed at the next generall Sessions by the Iustices there. And if any rescous, or disobedience be made to any person hauing auctoritie to doe execution, or Iustice by any such warrant by any person which shoulde be arrested, so that execution of the same warrant thereby be not had, then the same rescues and disobedience is felony, and the same felonie shall be inquired of and determined as other felonies bene. 1. Henrici. 7. 7. S. Felony. 24.

Howdike.

17 The Iustices of peace of the Counties of Norfolk and Cambridge with the Isle of Elie, at euery of their sessions within the same Isle and Counties, haue power to cause inquirie to be made of euery offence committed in breaking vp, cutting, or casting downe newe Howdike in Marshlande in the Countie of Norfolk, and olde fielde dyke by Marshlande in the Isle of Elie in the Countie of Cambridge, and to awarde like processe against euery offendor, with like iudgement and execution of the same, (if hee be found guyltie) as the sayde Iustices haue vsed to doe, vpon other felonies at the common lawe, 22. H. 8. 11. 2. and 3. H. and H. 19. S. Felony. 31.

Felons.
Trespaslers.

Barretors.

18 Iustices of peace haue power to heare & determine at the Queenes suite all maner of felonies and trespasses committed against the peace, in the same Countie, And to restraine offenders, ryotors, and all other Barretors, and to pursue, take, and chasten them, to impryson, and punish them according to their trespasse and offence, & also to informe them according to the said Iustices discretion, And to take and arreste all those which they can finde by indictment or suspicion, & to commit them to pryson, And to take of all those which be not of good fame in the place where they remayne, sufficient suretie and mainprise of their good abearing or behaviour towardes the Queene, and her people, and the other duely to punysh, to the intent that the people be not by such ryotors troubled or indamaged, nor the peace broken, nor any passengers by the way disturbed, or put in perill, But the fines which Iustices shall assess vpon any

any person for any offence shalbe reasonable, hauing regarde to the quantitie of the trespassse and the cause. 18. Ed. 3. 2. 34. Ed. 3. 1.

19 ¶ Iustices of peace haue auctoritie to inquire in their sessions, of all maner of escapes, of euery person arrested and imprisoned for felonie. 1. R. 3. 3. *Escapes.*

20 ¶ Iustices of peace at their quarter Sessions, haue auctoritie to inquire as well by the othes of twelue men, as by information giuen to them by any person, of all defaultes, offences and contemptes committed against the lawes, and statutes made and prouided before 16. Ianuarii, An. 33. H. 8. concerning, or in any wise touching Retainers, giuing of lueries, Signes, tokens, or Badges, maintenance, imbracerie, Bowstaues, Archerie, vnlawfull games, focestallers, Regrators, bitaile, bitailers and inholders, and euery of them, and to heare and determine the saide defaultes, offences &c. And vpon any information touching the premisses, or any of them, to make proces by Venire facias, one Capias, & an Exigent vnder their seales, against euery such person and persons, against whom such information or presentment shalbe had for their appearance, before them in their Sessions, to answer to such information or presentment, as shall bee there made, And if the person or persons accused by information or presentment, shalbe conuict vpon any such information, or &c. by confession or verdict of xii. men, Then the said Iustices haue power to giue iudgement against euery such offenders so conuicted of imprisonment, forfeiture of money, or both of them, as are limited in the said seuerall Statutes, for such offences, whereof they are conuict, & to cause execution thereof to be made accordingly. 33. Hen. 8. 10. 37. H. 8. 7.

*Retainers,
Maintenance,
Imbracerie,
Bowstaues,
Vnlawfull
games,
Archerie,
Regrators,
Bitaillers.*

21 ¶ Al Iustices of peace aswel within liberties as without, within the limites of their seuerall commissions, in their generall or Quarter Sessions, haue auctoritie to enquire of all and euery the offences (prohibited by the Statute prouided 23. El. against seditious words and rumors vttered against the Queene) and to cause the offendor and offendors therein to be indicted, without any further proceeding therein. 23. El. 2.

*Seditious rumors of the
Queene.*

22 ¶ And also euery Iustice of peace within the limites of his commission shall haue full power to commit any person being vehemently suspected of any of the sayd offences to warde, vnles hee doe put in suerties to make his personall apparance at the next Quarter Sessions or Gaole deliuerie, and in defaulte of finding such suerties, then to commit him to prison, there to remaine vntill hee shall finde suerties for his apparance, as is aforesaid. 23. El. 2. S. Newes. 3. 4. 5. 6. 7. 8. 9. 10. 11.

Suspected persons committed to warde.

Iustice of peace.

Willfull per-
iurie.

23 ¶ The Iustices of peace in euery countie within this Realme, or in Wales, at their quarter Sessions, both within liberties & without, haue authoritie to inquire of all and euery the defaultes and offences committed contrary to the Statute provided for the punishment of such, as shall procure or commit willfull perurie, by inquisition, presentment, Bill, or information before them exhibited, or otherwise, lawfully to heare and determine the same, and thereupon to giue Iudgement, award proces, and execution of the same, according to the course of the lawes. 5. El. 9. 14. El. 11. to continue to the ende of the next Parliament. S. Periurie.

Prophecies.

24 ¶ All and euery Iustices of peace, haue authoritie to inquire, heare and determine euery offence committed within the limits of their commission, contrary to the tenour and meaning of the statute provided, 5. El. against sonde and phantasticall prophecies. 5. El. 15. S. Prophecies. 1.

Armour.

25 ¶ The Iustices of peace of euery shire haue authoritie from time to time to make search & view of and for the furniture of Horses, Geldings, Armour, and weapon to be kept by any person hauing lands &c. to the value of CC. li. or vnder, and not aboue CCC. li. or by any person chargeable by his goods, annuities, fees, or copyholds, and to heare and determine at their quarter sessions, all defaultes committed contrary to the statute provided. 4. and 5. P. & M. for the hauing of Horse, Armour, and weapon, within the countie where such Sessions shalbe kept, by inquisition, presentment, Bill, or information before them exhibited, or by examination of two lawfull witnesses at their discretion, and to award proces against them as if they were indicted before them by verdict &c. And vpon the conuiction of the offender by information or suit, of any other then the Queene, to make estretes of the one moitie of the forfaitures, to be leuied to the vse of the Queene, and of the other to the vse of the Informer, as the Queenes Iustices may doe, and if the conuiction shalbe onely at the Queenes suit, the whole forfaiture shalbe estreted onely to her vse. But he that is once conuict for any of the said offences, shall not be eftsones troubled, or conuicted for the same 4. & 5. P. & M. 2. S. Armour.

Musters.

26 ¶ The Iustices of peace within the limittes of their commissions in their Sessions, shall and may from time to time inquire, heare, and determine euery of the offences committed contrary to the Act provided. 4. and 5. P. and M. for the taking of musters within the precinct of their commission, and if any person shall be before them presented or indicted of any of the sayd offences, then the sayd Iustices shall, and may award such proces against euery such person so indicted,

ted, as byon indictments of trespass is vled to bee made, & if any such person so indicted doe appeare, and confesse the same, or plead to the same indictment, and after by verdict of xii. men shalbe conuicted, then the sayde Iustices shall and may award such person to prison, there to remaine without baile or mainprise, vntill hee hath payed the one moitie of the forsaiture specified in the sayd act, vnto the Queene, and the other moitie vnto him, by whose euidence he shalbe conuicted, and if such conuiction shalbe without any euidence openly giuen by any person, then the partie conuicted shall remaine in prison vntill he hath satisfied the whole forsaiture vnto the Queene. 4. & 5. P. & P. 3. S. Capraines. 12.

27 **C** All and singuler Iustices of peace, as well within liberties, as without, within their seuerall authorities (at any time within thre peeres next after such offences committed) haue power to inquire, as well by the othes of xii. lawfull men, as also to heare and examine the masters and mariners of the Ships, Crayers, and euery other person, of all and singuler the offendours against the acte provided 1. & 2. P. & P. for the restrayning of carping Cozne, Beere, Butter, Cheese, Herring, and wood beyonde the sea, & to heare and determine the same offences, as they may & ought to heare and determine any other trespasses or offences. 1. & 2. P. & P. 5. And Iustices of peace in their quarter Sessions, or the greater part of them, may by their writings, vnder their handes and scales make any determination to the contrary of that, which before was determined by the Iustices of assise, for the transporting of Cozne, or restraint thereof, if they shall find the same to be hurtfull to the Countrey by the meanes of dearth, or too much cheapnes, and to cause their determination to bee proclaimed. 13. El. 13. S. Corne. 7.

Transporting
of victuals.

28 **C** Iustices of peace haue power at their generall Sessions to heare and determine the offences committed contrary to the statute provided for the keeping of milch Kine, and for the breeding and rearing of Calues, by Bill, Information, Presentment, A. of debt, or debtinue, And euery person that will, may sue for any penaltie forsaited by the saide statute, within one yeere after the offence committed, before the Iustices of peace, in the same shire, where such cause of forsaiture shalbe had, at the generall Sessions, wherein no W. & C. C. P. or licence to the contrary, shalbe allowed. 2. & 3. P. & P. 3. An. 13. El. 25. S. Cattel. 3.

29 **C** The Iustices of peace of euery shire within this Realme, within the limittes of their commission, haue authoritie at euery of their generall Sessions to inquire, heare, and determine the offences

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of those

Wainings.

Iustices of peace.

of those which shall kil, or cause to bee killed any waynlings vnder the age of two yeeres, to the intent to make sale thereof, as well by information, or presentment, as by bill or plaint, wherein no *W. &c. E. 1. p. &c. 24. p. 8. 9. 14. El. 11. S. Butchers. 3.*

Distilling of Calues.

30 ¶ The Iustices of peace of euery shire of this Realme within the limittes of their commissions, haue aucthoritie at euery of their generall Sessions, to inquire, heare, and determine the offences of Butchers, or others which shall kill any yong sucking Calues to bee sold whole, or by retayle, that shalbe calued betwixt the first day of Januarie, and the first of May, aswell by information, and presentment, as by bill or plaint, wherein no *W. &c. E. 1. p. &c. 24. p. 8. 7. 14. El. 11. S. Butchers. 2.*

Forestallers, Regrators, Engrossers.

31 ¶ The Iustices of peace in euery Countie within this Realme or Wales, at their quarter sessions, haue authoritie to enquire, heare and determine all defaults and offences committed contrary to the statute provided 5. E. 6. against Forestallors, Regrators, and Engrossers, within the county, where any such Sessions shalbe kept, by inquisition, presentment, bill, or information before them exhibited, and by examination of two lawfull witnesses, or by any of the same wayes, by the discretion of the sayd Iustices, & to make proces thereupon as though they were indicted before them by inquisition, or verdict, and vpon the conuiction of the offendor by information or suit of any other then the Queene, to make extractes of the one moitie of the forfaiture to bee leuied to the Queenes vse, as they doe of other fines, issues &c. grown in the Sessions, and to award execution of the other moitie for the compl. or Infor. against the offendor by Fieri facias, or Capias, as the Queenes Iustices at West. do. And if the conuiction bee at the Queenes suit onely, the whole forf. shalbe extracted and leuied to her onely vse. 5. Edw. 6. 14. 13. El. 25. S. Forestallers. &c.

Recognisance of Badgers, Drouers.

32 ¶ The Iustices of peace in their generall Sessions, shall or may, by their discretions, take band and suertie by recognisance of euery such as shalbe allowed a common Drouer of cattell, Badger, Lader, Kidder, Carrier, or Buyer of Cozne, Graine, Butter, or Cheefe, that hee shall not by colour of his licence Forestall, Engrosse, or practise any thing contrary to the tenour, or true meaning, or in defrauding of the said statute of 5. Ed. 6. 14. or of any thing therein contained. An. 5. El. 12.

Licence of Badgers and Drouers.

33 ¶ The Iustices of peace in euery county within this Realme, or Wales, at their quarter sessions, haue authoritie to inquire, heare, and determine all defaults and offences, committed contrary to the statute

statute provided, 5. El. for the licencing of Badgers of coine, & Pro-
uers of cattell, within the county where such Sessions shalbe kept,
by inquisition, presentment, bill or information before them exhibi-
ted, and by examination of two lawfull witnesses, or by any of the
said wayes by the discretion of the sayd Iustices, and to make proces
thereupon, as though they were indicted by inquisition or verdict, and
upon the conuiction of the offender, by any infor, or suite of any other
then the Queene to make extracts of the moitie of the forf. to bee le-
uied to the Queenes vse, as they doe of other fines &c. growen in the
sessions, and to award execution of the other moitie, for the compl. or
infor, against the offender, by Fieri facias or Capias, as the Queenes
Iustices at West. do, And if the conuiction bee at the Queenes suite
onely, the whole forf. shalbe extracted and leuied to her vse onely, 5. El.
12. S. Badger &c.

34 Iustices of peace in their Sessions, haue Authoritie to in- vnlawfull tak-
ing of fische,
Deare, or
Haukes.
quire, heare and determine all and singuler the offences committed
contrary to the statute provided. 5. El. for the punishment of vnlaw-
full taking of Fische, Deare, or Haukes, and to awarde proces there-
upon, as well upon Indictmentes taken before them as by bill of
complaint, information, or any other accion, wherein no W. &c. E.
P. &c. If any person shalbe bound before any of the sayde Iustices to
the Queene for his good abearing for vii. yeeres, according to the te-
nour of the saide Act, and the same partie shall afterward within the
saide vii. yeeres, come before the Iustices of peace, of the Countie
where the offence was committed, or some of them in open Sessions,
and there confesse his offence, and bee sozie therfore, and satisfie the
partie greued, according to the tenour of the sayd Act, then the same
Iustices haue authoritie in the same, or any other open Sessions with-
in the saide terme of vii. yeeres, if it shall seeme good to their discreti-
ons, to discharge the sayde recognisance and Band, and the partie so
bound, 5. El. 21. S. Fish, 7. Forrestes. 3. Haukes. 1.

35 Two Iustices of peace in their Sessions, haue authoritie Buckstals,
Stalking.
to call before them any person hauing no Parke, Chace, or Forest of
his owne, which keepeth, or causeth to bee kept any Deare haies, or
Buckstals, or which stalketh with any bush or beast to any Deare,
being in any Chace, Parke, or Forest sauing in his owne, without
licence of the owner, master of the Game, or keeper of the same For-
rest &c. or which killeth, taketh, or causeth to bee taken any Herons Taking of Herons.
(except by hauking or with long bowe) or taketh any pong Herons
out of the nest, without licence of the owner of the ground where
the nest is, and by their discretions to examine him in the premisses.

And

Iustice of peace.

And if the party examined be found in default contrary to the premises, then he shalbe committed to prison vntill he hath found suerty for paymēt of the forfaiture to the Q. And the Iustices that examine him shall haue the tenth part of euery such forfaiture for their labour. An. 19. H. 7. 11. S. Hunting. 3. 4. H. 8. 1. 2.

Hunters.

36 ¶ Iustices of peace may and shall inquire of all lay men ha-
uing not landes to the value of xl.s. by the peere, and of all Clerkes,
not hauing lining to the value of x. pound by the yere, which doe keepe
any dogges to hunt, or doe vse Ferrets, Hares, Nets, Harepipes,
Cordes, or other engins to take or destroy Deare, Hares, Conies, or
other Gentlemens games, and shall punish them by one whole peeres
imprisonment. 13. R. 2. 13. S. Hunters. 1.

Tracing of
Hares.

37 ¶ Iustices of peace within euery shire, at euery Sessions of
the peace haue authoritie to enquire of such as doe trace, destroy, and
kill any Hare in the Snowe, with any Dogge, Bitche, or otherwise, &
after such inquisitions found, the sayde Iustices shall assesse vpon eue-
ry such offender vi.s. viii.d. to bee forfaited to the Queene. 14. H. 8. 10.
S. Hunters. 2.

Felants.
Partridges.

38 ¶ Iustices of peace haue authoritie to heare and determine
aswell by inquisition as information, and proofes, the offences of all
those, which shall take or cause to bee taken any Felants or Par-
tridges, by nets, snares or other engines, out of their owne Warren,
vpon the freehold of any other person without the licence of the ow-
ner, or possessor. 11. H. 7. 17. S. Felants. 1. And the Iustices of Assise
in their circuites, & Iustices of the peace in euery Shire, Countie, &
Towne corporat, within this Realme in their Sessions, within the
seuerall limites of their commission shall & may enquire, heare and
determine of all and euery offence or offences which shalbe commic-
ted within the precinct of their liberties, Iurisdiccions or franchises,
against the tenour of the Act prouided 23. El. for the preservation of
Felants and Partridges. And euery Iustice of peace within euery

Examining of
offenders.

County of this Realme shall within the limites of his commission
haue power to examine all offenders in any Article of the same sta-
tute within the Countie where hee is or shalbe Iustice, if so be that
the said offence or offences shall not before bee heard or determined by
the Iustices of Assise in their circuites, or by the Stewards of Leetes,
Liberties, or Lawdayes within their seuerall Iurisdiccions, and also
to take bande with good suerties for his & their apparance that shall
so offend to appeare at the next generall Sessions of the peace to bee
holden within the same Countie where the same offence shalbe com-
mitted to answere the said offence, & to pay the penalties or receiue &
punish.

punishment by this Act appointed. 23. El. 10. S. Fesants. &c. 2. 3. 4. 5.

39 ¶ Justices of peace haue authoritie, to heare and determine aswell by inquisition, as information, and proofes, the offences of all them, which shall take, or cause to be taken the eggges of any Faucons, Goshawkes, Laners, or Swannes, out of the nest, or shall take any Citer, Falcon, Goshauke, Tercel, Laner, or Laneret, or purpose-ly drive them out of their Couerts accustomed to breede in, or cause them to go to other Couerts to breede, or kill them for any hurt by them done. 11. H. 7. 17. S. Hawkes. 3. 4.

Haukes eggges

40 ¶ Justices of peace in their Sessions haue authoritie to inquire, heare and determine all the offences committed contrary to the statute provided 1. El. touching the taking, killing, or destroying of fish, or Fry, and Spawne (which be not presented at the Leete, where they shalbe committed) within one yere next after the offence committed. 1. El. 17. 14. El. 11. S. Fish. 3. 4. Leete. 6.

Destroying of
fish.

41 ¶ The Justices of peace of all the Counties of England shall be conseruatoys of the statute provided. 13. Ed. 1. and 13. R. 2. for the preservation of Salmons, in the Counties where they be Justices. And they and euery of them, at all times when they may attend, shall suruey the offences attempted agaynst the sayd statutes, And shall suruey and search all the Meares in such Riuers, that they shall not be very straight for the destruction of Frye and brood, but of a reasonable wydenes after the old assise accustomed, and if any of them shall finde default against the sayd statutes, he shall punish the offendor according to the content of the same statutes, And the same Justices shal appoint vnder them good & sufficient vnderconseruatoys which shalbe sworn to make like Surueying, search, and punishment, without any fauour shewed. And the same Justices in their Sessions, shall enquire aswell by their office, as at the information of the sayd vnderconseruatoys, of all trespasses and offences committed against any point of the sayde statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof conuicted, they shall be imprisoned, and make fine after the Justices discretion, and if the same be at the information of any of the vnderconseruatoys, he shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish. 1.

Conseruatoys
of Salmons.

42 ¶ It is lawfull to Justices of peace in their Sessions, and to all other persons hauing authoritie to enquire of bloodshed and frayes, to enquire of euery of the offences and forfeitures committed against the statute provided 24. Hen. 8. for the reformation of excess in apparell, and the parties offending the sayd Statute and presented, shall make fine, in manner and forme and after the rate expressed in the
said

Apparell.

Iustice of peace.

said stat. 24. Hen. 8. 13. And also Iustices of peace in their Sessions, shall & may inquire, heare & determine from time to time, all and euery the offences committed within the limits of their Iurisdiccions contrary to the stat. prouided 1. & 2. H. 8. for refoz. of excelle in apparel. And they haue authoritie vpon the conuiction of euery offendor, to a ward proces to the Sherife of any shire within this Realme, for the apprehension of the said offendor, which being apprehended shalbe comitted by the Sherife to the prison of the said shire, vntill he hath payed the forf. by the said stat. appointed 1. & 2. H. 8. and Pa. 2. S. Apparell.

43 **C**Al Iustices of peace in euery shire, where any offence shalbe committed contrary to the true intent of the act made 27. H. 8. (whereby religious houses of Monkes, Chanons, and Nunnes which might not dispend in lands &c. aboue the cleere peerele value of £. li. were giuen to the said King H. 8. his heires and successors for euer. And whereby all persons and bodies politique & corporat, to whom the sayd King, his heires or successors should giue, graunt, let, or demise any Site or precinct, with the houses thereupon builded, with the demesnes of any of the sayd religious houses, by that act dissolued, be bound to keepe, or cause to be kept an honest continuall house and household in the same Site or precinct, & to occupie perely as much of the demesnes, in ploughing & tillage of Husbandry, which then were commonly vsed to be kept in tillage by the gouernors, Abbots &c. of the same houses, or by their fermor or fermors, occupying the same within xx. yeeres next before the said act, vnder the payne to forfait to the king, for euery moneth offending vi. pound xiii. s. iiii. d.) shall in euery quarter and generall Sessions, within the limittes of their commission, inquire of the premisses, and haue full power and authoritie to heare and determine the same, and to take and aslesse no lesse fine for euery of the saide offences then is before limited for the same. And the estretes thereof shalbe certified into the Eschequer according, and at such time and forme, as other estretes of fines, issues and amerciamentes bene, made by the said Iustices, 27. H. 8. 5. El. 2. S. Husbandry. 9.

Tillage.

Crossebowes,
Handgunnes.

44 **I**t is lawfull to all Iustices of peace in their Sessions to inquire, heare, and determine euery offence committed contrary to the tenour of the stat. made 33. H. 8. concerning Crossebowes and handgunnes, so that alwayes no lesse fine then x. pound be assessed vpon euery presentment, and conuiction made, according to the due course of the law, the same fine vpon euery such presentment and conuiction, to be leuied onely to the Queenes vse, And if any Iury swozne and charged to inquire for the Queene, of any offences committed contrary to the sayd statute do wilfully conceale any of the sayd offences, then the Iustices

Iustices before whom any concealment shall bee had, haue authoritie to charge & sweare another Jury, to inquire of euery such concealment, & if such concealment be found & presented by the sayde Iurie, then euery of the first Jury shall forfait for euery such concealment of euery offence xx.s. to the D. And euery Iustice of peace, vpon due examination & prooffe before him made of any person offending contrary to the forme & effect of the sayd stat. and arrested and brought to him by any other person, perceiuing any such person to offend, hath power to commit the same offendour to the next Gaole, there to remaine vntill such time as the penaltie specified in the sayde stat. shalbe truly payed by the saide offendour the one moitie to the D. and y other to the first bringer of the said offendour to the same Iustice. But if the presentment, suit or punishment for any thing forfeited by the stat. to the Queene, bee not commenced, or made within one yeere next after the offence committed, the said offendour shall bee thereof cleerely discharged. 33.H.6.S. Gunnes.

45 **I**ustices of peace in their Sessions, shall and may inquire, Capps. heare, & determine all and euery the offences committed within the limits of their authorities, contrary to the stat. provided. 13.El. for the continuance of making of Capps. 13.El. 19.S. Hattes. 1.2.

46 **I**ustices of peace haue power to enquire & determine all the offences committed contrary to the stat. provided 8.H.5. concerning the gilding of metall, and other things. 8.H.5.3.S. Gold.7.

47 **I**ustices of peace in euery shire, Riding and other place in their quarter Sessions, haue authoritie to inquire of all defaultes, contempts, omissions & offences, contrary to the effect of the statute provided 32.H.8. concerning the breeding of Horses of higher stature, And to heare & determine euery presentment found before them selues, or found in any Leetes or Lawdayes, & presented and certified vnto them by the steward, deputie or Court holder of the same Leete or Lawday, aswell by examination as otherwise. And the one halfe of all forfeitures specified in the said stat. shall be to the D. and the other to the person that will sue for the same, before the same Iustices, by B. J. &c. 32.H.8. 13.S. Horses. 3.4.5.6.7.8.9.

48 **I**ustices of peace haue power within the limits of their authoritie, to heare and determine the defaultes done contrary to the statute provided 33.H.8. concerning the keeping of great horses, aswell by presentment as by information before them, as in other cases of trespasses and contempts done against the forme of any statutes, and shall set no lesse paine vpon such persons, as shalbe conuicted, by confession or triall for offending the saide Act, then in the said Act is limited.

Iustice of peace.

limited. 33. H. 8. 5. S. Horses. 10. 11. 12.

Transporting
of Horses.

49 ¶ It is lawfull to the Iustices of peace in euery shire aswell in England as in Wales, in their quarter Sessions, to enquire of all offences committed contrary to the act ordeined 1. E. 6. that no Horses shoulde bee conueyed out of this Realme and other the Queenes Dominions without licence. 1. E. 6. 5. S. Horses. 14.

Horsbzead.

50 ¶ Iustices of peace in euery shire, libertie or franchise, within this Realme haue authoritie to inquire, heare, and determine the defaultes & offences of Hostlers, and Inholders baking horsbzeade, which is not sufficient, lawfull, and of due assise according to the price of Coyne, and to set such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of trespass against the peace. 3. H. 8. 41. S. Inholders, 2.

Lether.

51 ¶ Iustices of peace shall enquire, heare & determine in their quarter Sessions, all offences committed within their Iurisdiccions, contrary to the statute prouided 5. El. touching Tanners, Curriers, Shomakers, and other Artificers occupping the cutting of Lether, and also shall by their discretions examine all persons suspected to offend the said act, or any parcell thereof. 5. El. 8. S. Lether.

Wages of
Knights of the
parliament.

52 ¶ Iustices of peate haue power in their countrie, to enquire, heare & determine al defaults and offences committed by any person within the limites of their commission, contrary to the stat. prouided 23. H. 6. for the leuying, & paying of the wages of the Knights of the Parliament aswel by enquire at the Queenes suit, as by action at the parties suit. 23. H. 6. 11. S. Parliament, 12.

Stolen horses.

53 ¶ Iustices of peace in euery place & Countie, aswel within liberties as without, haue authoritie in their Sessions, within the limits of their authoritie & commission, to enquire, heare & determine all offences committed contrary to the stat. prouided 2. & 3. H. and H. against the buying of stolen Horses, as they may doe any other matter tryable before them; and euery person that will, may sue for any summe forfeited by the said statute before the Iustices of peace 2. & 3. H. & H. 7. S. Faires. 4. 5. 6.

Counterfaiing
letters, tokens.

54 ¶ Two Iustices of peace in euery Countie, citie, Borough, Towne & franchise, whereof one to bee of the Quoru, haue authoritie to conuent by proces or other wise, to the generall Sessions, any person being suspected of any deceiptfull getting into his hands, any money, or other things of any other persons, by colour of any false token, or counterfait letter made in any other mans name, & to commit him to ward, or let him to baile, vntill the next generall Sessions, & there to be further ordered by their discretions, that is to say, hee shall suffer
such

such correction by imprisonment, setting upon the Whilore, or by any corporall punishment, (paines of death except) as shall be appointed by the said Iustices. 33. H. 8. 1. S. Counterfaiing &c.

55 ¶ Iustices of peace in euery county, haue power to inquire of Arrowhebs. all false makers of Arrowhebs and Quarels, and to punish them according to the statute in that case prouided. 7. H. 4. 7. S. Arrowhebs. 1.

56 ¶ All and singular Iustices of peace, haue aucthoritie to inquire, heare and determine, all and singular offences committed by artificers, worke-men, laborers and vitailers, against the stat. for them prouided 2. Ed. 6. and to punish the offender, according to the teneur of the same stat. 2. Ed. 6. 15. S. Artificers, 1. 2.

57 ¶ Iustices of peace in their quarter Sessions, haue aucthoritie to heare and determine all offences committed, contrary to the true intent and meaning of the stat. prouided. 18. Eli. to redresse disorders in common infourmers vpon penal lawes, 18. Eli. 5. S. Actions popular. 3. 4. 5. 6. 7. 8.

58 ¶ Iustices of peace in euery countie, haue power to enquire, heare and determine, as well at the suit of the Q. as of him which will sue, of any thing committed against the stat. prouided against Purneyours which will take or buy any thing of the value of xl. s. or vnder, of any of the Q. liege people, without making ready payment in hande for the same, against Constables, cythingmen, and chiefe pledges, which vpon request do not assist the owners to withhold and resist such Purneyors and buyers, and against such of the Q. Officers, as do procure any of the Q. people to be arrested, impleaded, or vexed, for such withholding, or not suffering &c. and thereof to make due punishment and execution, and to award damages to the plaintife, when the defendant is duely conuict. 20. H. 6. 8. S. Purneyours. 22.

59 ¶ Iustices of peace haue power to inquire, and holde plea of any offence committed by any of the Queenes purneyours, or other which doe buy or take coyne, by any other measure, but by the striked Bushel, and viii. of them for the quarter, or which doe take carriage therefore, and doe not make readie payment, and thereupon aswell at the Queenes suit, as at the parties, to punish them, according to the stat. in that case prouided. 1. H. 5. 10. S. Purneyours. 16.

60 ¶ The Chaunceloz or his vicechaunceloz, or commissary for the time being, in either of the Uniuersities of Cambridge and Oxford, with two Iustices of peace, of the Counties wherein the sayde Uniuersities be set, haue power to inquire by the othes of xii. men, of and vpon the defaultes and offences committed contrary to the Statutes (ordeining in what cases Purneyours may take vitailles within v. miles

Iustice of peace.

v. miles of Cambridge and Oxford, and in what they may not) and to see due punishment and reformation thereof, according to the said statutes 2. & 3. H. 8. H. 15. 13. El. 21. 14. El. 11. S. Purveyours. 32.

Linnen cloth.

61 ¶ All Iustices of peace in euery Countye, and place of this Realme, or thre of them at the least, whereof one to be of the Quorum, haue power to enquire, heare and determine in their Sessions, of all persons which do wittingly vse any deceiptfull act or meane with Linnen cloth, whereby the same is made worse for the vse thereof, by Information, Indictment, or vpon the Trauerse of any presentment or indictment found before them or any of them. And the Iustices before whome any offence shalbe found, shall certifie the same by estrete into the Eschequer at Michaelmas &c. 1. El. 12. S. Linnen cloth. 2.

Pewter.
Basse.

62 ¶ The Iustices of peace, within euery shire, at the generall sessions holden at Michaelmas, shall appoint two certeine persons, hauing experience in Pewter and Basse, to make search therein &c. in euery part of that shire, aswell within franchise as without (sauing in cities or boroughes, where searchers bee appointed by the Gouernours of the same.) 19. H. 7. 6. 4. H. 8. 7. 6. Pewterers.

Artillerie.
Buttes.
Bowes.

63 ¶ Iustices of peace haue power to inquire in their sessions of all and euery branch of the statute provided 33. Hen. 8. for the maintenance of Artillery, of Buttes, and for the making and selling of Bowes, and to heare and determine the same, and also by their discretions to examine all persons lacking and not hauing bowes and arrowes, according to the said statute. 33. H. 8. 9. S. Archerie, Bowes. 3. 4. Buttes. 1.

Unlawfull
games.

64 ¶ It is lawfull to all and euery the Iustices of peace, in euerie shire within this Realme, from time to time, aswell within liberties as without, as neede and cause shall require, to enter and resort into all and euery houses, places, and Alleys, where unlawfull games shalbe suspected to be used contrary to the stat. in that case provided, And aswell the keepers of the same, as also the persons there haunting, resorting, and playing, to take, arrest, and imprison, and them so taken and arrested, to keepe in prison, vnto such time, as the keepers and maintainers of the said playes and games haue found suerties to the Queenes vse, to be bounden by Recognisance, or otherwise, no longer to vse or occupie any such house, play, game, alley or place. And also the persons there so found, shall in like case be bound by themselves, or els with sureties, by the discretion of the Iustice, no more to play, haue or exercise, from thenceforth to any of the saide places, or at any of the said games. And all Iustices of peace, and euery of them, finding, or knowing any person vsing any unlawfull games contrary

to

to the saide Statute haue authoritie to committe every such offendour to warde, there to remaine without baile or mainprise, vntill such time they so offending, be bound by obligation to the Queenes vse, in such summe of money, as by the discretion of the sayde Iustices shall bee thought reasonable, that they or any of them, shall not from henceforth vse such vnlawfull games. And the Iustices of peace shall cause the statute provided against vnlawfull games, and for the maintenance of Artillery, to be openly proclaimed in their seuerall Sessions before them holden. 33. H. 8. 9. See Playes and games.

65. ¶ Iustices of peace in their Sessions, haue power to inquire, of all attachements made by the officers of the Courtes of the East marches or West marches, out of any of the Countie of Westmerland, Cumberland or Northumberland, or the Towne of newe Castell vpon Tyne, and therein to proceede, as they may vpon presentments taken before them in their Sessions, of Trespasse, or affrayes made against the Queenes peace. 31. H. 6. 3. S. Marches. 1.

Attachements
in the mar-
ches.

66. ¶ Iustices of peace of every Shire, riding, and libertie within the limites of their seuerall Commissions, or the more part of them, being then resiant within the same, and the Sheriffe of the Countie (if he conveniently may) and every Maior, Bailiffe, or other head Officer, within any Citie or Towne corporate, wherein is any Iustice of peace, within the limites of the sayde Citie, Corporation &c. shall perely at every generall Sessions, first holden after Easter, or within sixe weekes next after Easter, assemble themselves together, & calling vnto them such graue and discrete persons of the said County, Citie, towne &c. as they shal thinke meete, and conferring together, respecting the plentie or scarcitie of the time, and other circumstances necessary, haue authoritie within the limites of their seuerall commissions, to limit, rate, and appoint the wages of Artificers, handicrafts men, husbandmen, laborers, seruants, workemen, apprentices of husbandry &c. as they shall thinke meete to be rated, limited &c. by the pere, or by the day, weeke, moneth, or otherwise, with meate and drinke, or without, & what wages every workeman and labourer shall take by the great, for mowing, making, reaping, or thysing of Coyne, and Hay, or for ditching, paling, raling, or hedging by the rodde, Berche, Luggge, Parde, Pole, Rope, or foote, or for any other kinde of reasonable labours, or seruice. And shall perely before the twelfth day of Iuly next after the sayd rates so appointed, certifie the same ingrossed in Parchment, with the causes thereof, vnder their hands and seales into the Chauncery, whereupon it shall be lawfull to the Loyde Chauncelloz or Keeper &c. vpon declaration thereof to the

Labourers.

Rating of wa-
ges.

Iustice of peace.

**Proclamations
of the rates of
wages.**

the Queenes Maiestie or Lords &c. of the private Councell &c. to cause to bee printed and sent downe, before the first of September next after the said Certificat, into euery Countie, to the Sherife and Iustices of peace there, and to the Maior, Bailiffes &c. certaine Proclamations conceyning the seuerall rates appoynted by the Iustices &c. with commandement to all persons in the Queenes name, to obserue the same, and to all Iustices, Sheriffes &c. to see them duely obserued, which proclamations shalbe entered of record, by the Clerke of the peace, or by the Clerke of the Citie, Towne &c. And shall bee proclaimed in euery Citie and Market Towne, vpon the Market dayes before Michaelmas, and fixed in some open place &c. And if the sayd Sherifes, Iustices, Maiors &c. shall at their sayde sessions, or at any time after within sixe weekes, vpon their assemblee and conference together, thinke it conuenient to reteine for the yere to come, the rates of wages, that they certified the yere before, or to change or reforme them, or some part of them, then they shall before the twelfth day of Iuly yerely certifie into the sayd Chauncery, their determinations therein, to the intent that Proclamation may be accordingly renewed and sent downe. And if there be no neede of reformation, or alteration of the rates of wages, but that the former shall continue, then the Proclamation for the yere past shall remaine in force, vntill newe proclamations vpon newe rates shalbe sent downe. 5. El. 4.

**All þ Iustices
shall assemble
at the rating
or altering of
wages.**

67 ¶ If all the Iustices of peace resident within the Counties where they be Iustices, and the Maiors, head Officers &c. doe not yeerely assemble at the generall sessions holden after Easter, or within sixe weekes next after, and limit and rate the wages of seruants and Labourers; or shall not consider whether the former rates made, be meete to be continued, or to be altered and reformed, or be negligent in the Certificat thereof: Then euery such Iustice, Maior &c. in whome any such default shalbe found, being within the sayd Countie, Citie, Towne &c. at the time of the sayd sessions, or at the time of the said rates of wages to be set, within sixe weekes next after such Sessions, and not visited with any such sickensse, as he could not trauell thither without danger of his life, or not hauing any other good excuse to bee allowed by the Iustices then assembled for the rating of wages, or by the more part of them, (vpon a corporall othe, and Affidauit, to be openly taken before the Iustices vpon the holy Euangelists, by some credible person asselled in the booke of Subsidie of that Countie to v. li. at the least, or by such other person, as the most part of the Iustices shall allowe to take such othe) shall forfeite for euery such default and negligence vnto the Queene x. li. 5. El. 4.

68 **T**he Iustices of peace of euery Countie, diuiding them selues into seuerall limittes, and euery Maior and head Officer of any Citie, Towne corporate &c. shall yeerely betweene the feastes of S. Michael, and the natiuitie of our Lorde, and betweene the feastes of the Annunciation of our Ladie, and of Saint Iohn Baptist, by all such wayes and meanes, as to their wisdomes shall bee thought meete, make a speciall and diligent inquirie of the branches and articles of the Statute made 5. Eliz. for Artificers, Labourers, seruants of Husbandry, and apprentices, and of the good execution of the same, and where they shall finde any faulces, to see the same scuerely punished without fauour or displeasure, and the sayde Iustices or two of them, whereof one to be of y^e Quorum, & the presidents and Counsell established in the Marches of Wales, and the North, and the Maior & head officers of euery citie, towne corporate &c. haue power to heare and determine all offences committed against the foresayde Statute, or against any branch thereof, as well vpon indictment to bee taken before them in the Sessions of the peace, as vpon action of debt, or bill of complaint, to be sued by any person, and shall and may make proces against the defendaunt, and awarde execution, as in other cases they may, and shall certifie the estretes in Michaelmas terme into the Exchequer. And euery Iustice of peace, Maior, Bailiffe, and head Officer, shall haue for euery day that hee shall sit in, and about the execution of this Stat. allowed vnto him v.s. of the fines and forfeitures of the penalties due to the D. by force of the said Statute, in such maner, as the said Iustices haue bene commonly payed for their comming and charges at the quarter Sessions, so that the sitting of the said Iustices, Maior &c. be not at any time aboue iii. dayes, for the matters contained in this statute. 5. Eliz. 4. S. Laborers.

Inquiry of the
execution of
the Stat. of
labourers.

Euery Iustice
allowed v.s.
a day.

69 **T**he Iustices of peace of euery place, or county, in default of inquirie or presentment thereof made within the precinct of any leete, haue authoritie to enquire of all the offences committed within the limittes of their commission, contrary to the Statute prouided 2. and 3. H. and H. for the amending of high wayes, at their quarter Sessions, and to asseesse such fines therfore, as they or two of them, whereof one to be of the Quorum shall thinke meete, And the clerke of the peace shall make estretes indented, of the fines, forfeitures & amercements, for the defaults presented before the sayd Iustices, & shall deliuer the one part thereof sealed and signed by him to the Bailiffe or high Constable of euery hundred, rape, lathe, or wapentake, wherein the defaults shall bee presented, and the other halfe, to the Constables and Churchwardens of the Parish wherein the defaults were made,

Iustice of peace.

to bee peerely deliuered within five weekes after the feast of Saint Michael, 2. and 3. P. and P. 8. 5. Eliz. 13. And the Supersuissour appointed for the amending of high wayes, within one moneth after any offence committed contrary to the true meaning of either of the sayd Statutes, shall present euery such offence to the next Iustice of peace for the time being, which Iustice shall certifie the same presentment at the next generall sessions within the sayd Countie, vpon paine to forfeite for euery offence not certified v. li. And the Iustices of peace of euery County where such offences shall bee committed, haue auctoritie to enquire thereof, within the limittes of their Commission, at euery their quarter Sessions, and to aslesse such fines for the same, as they or two of them (whereof one to bee of the Quorum) shall thinke meete. And euery Iustice of peace hath auctoritie vpon his owne proper knowledge, in the open generall Sessions, to make presentment of any high way not wel and sufficiently repaired, or of any other default, or offence committed within the limittes of his Commission, contrary to the prouision or intent of either of the foresayde stat. and euery such presentment shall be as good, and of the same force in the lawe, as if the same had bene presented and adiudged by the othes of twelue men, and for euery default so presented, the Iustices of peace of the sayde County, shall immediatly at the said generall Sessions, aslesse such fines, as to them or two of them, whereof one to bee of the Quorum, shall bee thought meete, sauing to euery person touched by such presentment, his lawfull traaverse to the same, 5. Eliz. 13. And all and euery Iustices of peace, in their sessions, shall heare and determine euery offence, matter and cause, that shall growe or arise by reason of the stat. prouided 18. El. for the amending of his wayes, 18. El. 9. S. High wayes.

1540ges.

70 ¶ The Iustices of peace, of euery Shire of this Realme, Fraunchise, Citie, or Borrough, or foure of them at the least, whereof one to bee of the Quorum, haue power to enquire, heare and determine in the generall Sessions, of all maner of anoyances of bridges broken in the high wayes, and of all anoyances of high wayes, which lie next adioyning to the endes of Bridges, and being distant from the sayde endes CCC. foote, to the dammage of the Queenes people, and to make such proces and paines vpon euery presentment befoze them made, for the reformation of the same, against such as ought to bee charged for the making or amending of such Bridges or hygh wayes, as the Queenes Iustices of her Bench vse commonly to doe, or as it shall seeme by their discretions necessary and conuenient for the speedy amending of the same, and where such decayed

decayed Bridges, or high wayes lie in one shire or Riding, or within a Citie or Towne corporat, and such persons, bodies politique, lands or tenements, which ought to bee charged to the making and amending thereof, lie and abide in another, or out of the saide Citie or towne corporat, the Iustices of the shire, Citie, or Towne corporat, within which the sayde decayed Bridges or High wayes or any part thereof shall be, haue power to enquire, heare, and determine all anoyances within the limittes of their Commissions, and to make Procces into euery shire within this Realme, against such as ought to amend such Bridges, or high wayes, presented before them to be decayed, and to doe further in euery behalfe, as they might doe by this Act, in case the persons lands &c. which ought to be charged, were in the same shire, riding, Citie or Towne Corporat where the anoyance is. The Iustices of peace or foure of them at the least, whereof one to be of the Quorum, of the shire, Riding, or of the Citie, Towne corporat &c. shall call before them the Constables, or two inhabitants of euery Towne and parish, within the shire, Riding, Citie or Towne corporat, aswell within liberties as without, wherein such bridges, or any parcell thereof be, and with their assent, shall take euery inhabitant in euery such Citie, parish or Towne, to such summe of money, as they shall thinke conuenient for the amendment of decayed bridges, where it cannot be knownen & proued, what persons lands, tenements, or bodies politique ought to repaire the said bridges, & the sayd Iustices shall appoint two collectors for the gathering of the money so taxed, & two surueyors to see the decayed bridges repaired, and shall call the same Collectors and Surueyors to accompt. 22. H. 8. 5. S. Bridges. 2. 3. 4.

71 **¶** The Iustices of peace of euery shire, Citie, Borough &c. or Alehouses, two of them at the least, whereof one to be of the Quorum, haue aucthoritie within the limittes of their iurisdiction, to discharge common selling of Ale and Beere, in common Alehouses and tippling houses in such Townes and places, where they shall thinke meete, and none shall keepe any common alehouse &c. but such as shall be admitted in the open Sessions, or by two Iustices, whereof one to be of the Quorum, which shall take band and suertie by Recognisance of such as be admitted, against vsing of vnlawfull games, and for the maintenance of good order, and for the making of euery such Recognisance shall take but twelue pence. And the Iustices where such recognisance shall be taken, haue aucthoritie in their quarter Sessions to inquire by presentment, information, or otherwise by the discretion, of all such persons as be allowed to keepe Alehouse &c. and that be bounde by Recognisance, if they haue done any Act, whereby they

Iustice of peace.

Certificate of
recognisance
for Alehouse.

haue forfeited the same, and to award proces against every person so presented, or complained upon, to shewe why he shoulde not forfeit his recognisance, and to determine the same, as by them shall bee thought good, and they shall committe euery person to the common gaole of the same shire, citie, borough &c. which keepeth common Alehouse, being not admitted in forme abouesayde, or commaunded to the contrary, there to remaine for thre dayes, and before his deliuerance, shall take recognisance of him with sureties, that he shall not keepe any common Alehouse. And the said Iustices shall make certificate of euery such recognisance and offence, at the next quarter Sessions, which certificate shalbe a sufficient conuiction in lawe of the same offendour. And if any Iustice of peace doe take a recognisance of one which is allowed to keepe a common Alehouse or tippling house, against the vsing of unlawfull games, and for the main-tenaunce of good order, and doe not certifie the same at the next quarter Sessions to be holden within the same Shire, Citie, Borough, Towne Corporat, Franchise, or Libertie &c. he shall forfeite to the Queene for euery offence thre pound, sixe shillings eight pence, s. Ed. 6. 25. S. Alehouse. 1. 2. 3.

Poor people.

72 ¶ The Iustices of peace in all Shires in England, shall in their quarter Sessions next after Easter, peerely examine the performance, or not performance of the statute provided 14. El. for the reliefe of the poore and impotent, according to the tenour thereof, as they are bounde to doe the statute of Laborers. And at their quarter Sessions shall peerely appoint newe Collectours, and newe ouerseeers, for the causes in the sayde statute limited, and shall then also agree vpon new viewes and serches of the said impotent people, within euery their limittes for the yeere following, if neede shalbe. And further at their said Sessions, shall take order for all and euery thing that may in any wise further the intent of the said act. 14. El. 5.

Reliefe of the
poore.

73 ¶ Three Iustices of peace within all the Shires of this Realme, whereof one to be of the Quorum, haue power to heare, and determine all causes (except forfeitures of Iustices of peace) that shall come in question by reason of the sayd statute provided for the reliefe of the poore. 14. El. 5.

Reliefe of the
poore.

74 ¶ If any default shall be found in any Iustices of peace, or Quorum, in or about the executing of the sayd Acte provided for the reliefe of the poore, euery of the said Iustices vpon prooffe of the sayde default, by two sufficient witnesses before the Iustices of assise, at the next generall Sessions of Gaole deliuerie for the same Countie, after the same default, shall lose and forfeite five pound of lawfull En-

glish

glith money, the one halfe thereof to be to the vse of the said poore people of the same County, and the other halfe to the Q. which forsaithure shalbe leuied by the discretion of the said Iustices of assise. 14. El. 5.

75 ¶ The Iustices of peace within any county of this realme, or Wales, shall not intronit or enter into any Citie, Borough, place or Towne corporat, where be any Iustice or Iustices of peace, for any such Citie &c. for the execution of any branch, article, or sentence of the act provided for the punishment of vagabonds & reliefe of the poore & impotent, for, or concerning any offence, matter, or cause arising within the precincts, liberties or jurisdictions of such Citie, borough, place, or Town corporat, But it may & shalbe lawfull to the Iustice & Iustices of peace, Maiors, Bailifes, & other head officers of those Cities, Boroughs &c. where there be Iustice or Iustices, to proceed to the execution of the said act, within the precinct of their liberties, in such maner & forme, as the Iustices of peace in any county may or ought to do within the same County, by vertue of the said act. And euery Iustice & Iustices of peace, within euery such Citie &c. for any offence by them or any of them committed contrary to the intent of the said stat. shalbe punishable and chargeable, as other Iustices of peace at large in the Countyes, are by the said act appointed to be. 14. El. 5. S. Poore, S. Vagabonds,

Poore people,
Vagabonds,

76 ¶ If any Iustice of peace, assembled at any of the sessions next after Easter, shall from thence depart, before conference had touching the execution of the stat. provided for the setting of the poore on worke, & for the auoiding of idlenesse, hee shal for euery offence forf. v. li. to be rec. and leuied as a fine, vpon indictment and conuiction of trespass, & to be imploied to the vse of the provision and furniture of the house or houses of correction, in such Countie. 18. El. 3. S. Poore.

Poore people,

77 ¶ If any person whatsoever hee be, being aboue the age of foureteene peeres, and set forth by the act provided for the punishment of vagabonds, made 14. El. to be a roge, vagabond, or sturdy begger, be at any time taken begging in any part of this Realme, or taken vagrant, wandering, and misordering him selfe, contrary to the purport of the said act, in any part of the same, hee shall vpon his apprehension be brought before one of the Iustices of peace, or Maior, or chiefe Officer of Cities, Boroughes and Townes corporat, within the Countie, Citie &c. where the apprehension shall happen to be, and by the said Iustice, or head officer be presently committed to the common gaole of the said Countie being apprehended within the County, or els such other place, as by the Iustices of peace of the countie, or iii. of them, at any their generall sessions shalbe appointed. And if hee be taken within any Citie, Borough or Towne corporate, then to be

Vagabonds,

Iustice of peace.

committed to the prison of the sayde Citie &c. there to remaine without baile or mainprise, vntill the next sessions of the peace, or generall Gaole deliuey of the same Shire, Citie, &c. to be holden, which shall first happen. 14. El. 5. S. Vagabonds. 2.

Bzuers.

78 ¶ The Iustices of peace of enery Shire, where any Ale byuer, or Beere byuer doeth dwell, out of a Citie, Borough or Towne Corporate, or other place where no head Officers haue any rule, haue power to lesse and take by their discretions, the prices of enery barrel, kilderkin, or firkin of Beere and Ale; and the Ale and Beere byuers shall not sell their Ale and Beere at any higher prices, then shall bee to them by the sayd Iustices assigned. 23. H. 8. 4. S. Bruers. 2.

Vessels.

79 ¶ The prices of all barels, kilderkins, firkins, and other vessels to bee solde for Ale, Beere, or Shope to bee vttered therein, where such vessels shalbe made or sold, out of any Citie, Borough or Towne corporat, shalbee taxed by the Iustices of the peace or the more part of them being present in the quarter sessions yerely next after Easter, at such prices as they shall thinke reasonable. 8. El. 9. S. Cowpers. 1.

Attornies.

80 ¶ The Iustices of peace within the Counties of Suffolke, Norff. and the Citie of Norwich, haue power to inquire in their sessions, of any persons which presume to be Attornies in any Courts of record, in the saide Counties or Citie, otherwise then is appointed by the stat. in that case provided. 33. H. 6. 7. S. Atturney. 14.

**Keepers of
Ferries and
passages.**

81 ¶ The Iustices of peace within the Counties of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call before them all such persons which doe keepe any Ferry or passage ouer the riuer of Seuerne into Wales, or the Forrest of Deane, or out of Wales, or the sayde Forrest into Englande, and to binde them with sufficient suerties with them in recognisance, in such summes of money, as it shall seeme to the discretion of the sayde Iustices, that they and enery of them, being Passengers, and keepers of Ferries and passages, shall not after the Sunne being set at the night, or before the Sunne rising in the morning, conuey or carry, or cause to be conueyed or carryed any maner of person or persons, or any kinde of cattell, but such persons as they do know and will answere for, and do know where their abidings, dwellings, and habitations be, & vpon request made to them or any of them, shall from time to time disclose, aswell the same person or persons, as the goods and cattels so passing the said passages, vpon fresh suite made vpon any felony, murder, or robberie committed in the borders of the said Counties of Gloucester & Somerset, or in any other place within Englands, or South Wales. 26. H. 8. 5. S. Boates &c. 12.

82 ¶ The

Iustice of peace.

82 **C** The Iustices of peace or two of them at the least, of the Shire where any towne, village, or Hamlet not corporate is, where any cloth shalbe made or solde, haue full power once euery yeere, to call befoze them by their precept or otherwise, ii. iiii. vi. viii. or moe, (as they shal thinke good by their discretion) of the most honest, discrete, and indifferent men of euery such towne, village, or hamlet, where any cloth shalbe made or solde, and them shal appoynt to be ouerseers for one whole yeere then nexte following, within the towne, village or hamlet, where the same ouerseers shalbe dwelling, charging them also vpon their othes, and as they do tender & honour and common wealth of the Realme, that they doe endeouour them selues for that yeere, to see the Statute provided 3. Edw. 6. for the true making of woollen cloth, to be obserued within & limits of their charge. 3. Ed. 6. 2. S. Drapery. 68. 69. 70.

Ouerseers of cloth.

83 **C** If any person which shall retaille any of the clothes, kerseis, frizes, rugges or cottons, of the seuerall makings specified in the Statute provided 5. Edward. 6. for the true making of woollen cloth, do present any cloth which is defectiue or faultie, vnto two Iustices of peace next adioyning, out of a Citie, Borough or towne corporate, where such cloth shalbe found faultie, the same Iustices shal cause the same cloth to be cut into thre equall pieces, whereof the Queene shal haue one, the presentor an other, and the thurd they shal retaine to themselves. 5. Ed. 6. 6. S. Drapery. 31.

Faultie cloth.

84 **C** Euery Iustice of peace of the County where any souldier or shalbe found, which shal giue, wilfully purloyn, exchange, or put away any Horse, Hare, Gelding, or harnais, wherewith he shalbe set forth, shall commit the said souldier to ward, vntil he hath satisfied the partie grieved for such Horse, Harnais &c. so lost, purloyned, &c. except the same souldier were imprisoned for the same offence before by the Lieutenant, Captaine &c. or their deputies, and made restitution. 2. Ed. 6. 2. S. Captaine 1.

Souldier.

85 **C** The Iustices of peace of euery Shire haue authoritie to enquire of the offendours of the statute made 25. H. 8. limittting what number of sheepe men shall keepe, and haue at one time (as well by the othes of twelue men, as by information of the Queenes Subiectes) and to make such like proces vpon euery presentment or information concerning the said Act, as they vse commonly to do vpon presentments before them of trespassse, and no person being convicted by confession, or otherwise, that he hath done or attempted contrary to the said Act, shall be put to any lesse fine, then after the rates of the forf. limitted by the sayd act, 25. H. 8. 13. S. Sheepe 3. &c.

The number of Sheepe.

Iustice of peace.

Coroners.

86 ¶ The Iustices of peace, within the County where any default of a Coroner is (which vpon request to him made, to come and inquire of any person slaine, drowned, or otherwise dead by misadventure, doeth not his office therein diligently, or taketh any thing therfore) haue power to inquire thereof, and to determine the same, aswel by examination, as by presentment. 1. H. 8. 7. S. Coroners. 16.

Escheators.

87 ¶ Iustices of peace haue power to heare and determine, vpon presentment made before them in their Sessions, all forsaitures committed by Escheators in selling, or setting to farme their offices, or making any Deputies but such for whom they will answer, contrary to the stat. in that case provided. 12. Ed. 4. 9. S. Escheators. 12.

Sherifes.

88 ¶ Iustices of peace haue power to hold plea, of any suit commenced by any person against the Sherife, or any of his ministers, which by force of the estreats, doe leuie the Queenes debt of him, & doe not cot the same which is payed, whereby the debte is an othre time demaunded of the same person. 42. Ed. 3. 9. S. Estreats. 1.

Defaultes of Sherifes.

89 ¶ Where Iustices, or a Iustice of peace, vpon complaint to him or them made of any forcible enrie into landes or tenements, or of detaining thereof with force, doe direct their precept to the Sherife to returne sufficient and indifferent persons dwelling about the sayd landes, to enquire of such entries: If the said Sherife or Bailife of Franchise, hauing returne of wittes, be slacke and not duly execute the said precepts to them directed, theny said Iustices or Iustice, haue power to heare and determine such defaultes and negligences of the said sherifes and bailifes, aswel by bil at the suit of the P. griued for himselfe, as by indictment only for the Q. And if the Sherife or bailife be attainted by inditement of bill, he which such for the Q. and himselfe, shall haue the moitie of xx. li. (which y offendor shal for.) together with his costs and expences, and y proces against the offendor shall be as in trespassse, vi & armis. 8. H. 6. 9. S. Force. 2.

Extorcion of Sherifes.

90 ¶ Iustices of peace in their countrey, haue power to enquire, heare, and determine al the extorcions, & other offences committed by Sherifes, vnder Shirifes, Coroners, Baylifes of Franchises, & their ministers, contrary to the statute for them provided 23. H. 6. in any article or point of the same statute. 23. H. 6. 10. S. Iurors. 10. Sherifes. 5. 6. 7. 8. 9. 10. 11.

Usury.

91 ¶ Iustices of peace in their sessions, haue authoritie to enquire, heare, and determine, of al and singular offences committed against y stat. provided 37. H. 8. against vsury. 13. El. 8. S. Vsu. 1. 2. 3.

Waightes and measures

92 ¶ Two Iustices of peace, whereof one to be of y Quorum, haue authoritie, aswel by examination, as by inquirie, to heare and determine

Iustice of peace.

determine the defaultes of head Officers of Cities, Borowghes, and market Townes which do not cause twise in the yeere at the least, all waights & measures therein to be brought before them, & the defectiue to be broken & burnt. And also of all buyers & sellers, which do not buy & sell with waights & measures, which be lawfull, and to set fines and americiaments vpon the offenders according to their discretions. 11. H. 7. 4. And also Iustices of peace haue power to inquire of falsifiers & counterfeiteres of false waights, & to imprison, and in prison to holde them, vntill they be attainted or acquitted, and if they be attainted, they shall remaine in prison vntill they haue made fine by the Iustices discretion. And they shall inquire of, heare, and determine the same, so often as they shall thinke needefull. 9. H. 5. 8. S. Waights, 9. 10. 13.

93 **C** All Iustices of peace, within the limits of their commission, haue authoritie to inquire, heare & determine the offences of all those, which shall willingly purloine, destroy, or conuey away the eggcs of any kinde of wildfoule, from the nest or place where they shalbe layed by the same wildfoule, like as they commonly vse to do in cases of trespassse. 25. H. 8. 11. 3. Ed. 6. 7. S. Wildfoule. The eggcs of wildfoule.

94 **C** Iustices of peace in euery Shire of this realme, within the limits of their commissions, aswell within Franchises as without, haue authoritie to examine, heare, inquire, and determine the defaultes of such as shall attempt to sell any wines in grosse, or by retaile, contrary to the statute made 28. H. 8. limiting the prices of wines, and to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines. 1. 2. Wines.

95 **C** The Iustices of peace of euery Countie, Citie, and Towne corporat in their seuerall sessions, haue authoritie to inquire by the othes of xii. lawfull men, of all & euery offence & offences done contrary to the statute (made 7. Ed. 6. to auoyde the great prices & expresse of wines) And euery inquirie and presentment taken, & had by the othes of xii. lawfull men, shalbe of such force, as if the same were taken or had in the Kings Bench; And euery of the paines, penalties, & forfeitures due by force of the saide act, for any offence committed contrary to the forme thereof, as shall be found by presentment, before the sayde Iustices, & no bill, plaint, action, or information thereof comenced in any of the Queenes courts of record, shalbe equally deuided into two partes, whereof the one shalbe to the Queene, her heires & successors, & the other to the poore people of the towne or place, where such presentment shalbe found. 7. Ed. 6. 5. S. Wines. 6. 7. 8. 9. 10. 11. Wines.

96 **C** All Iustices of peace in their sessions within the limittes of their commissions, haue authoritie to inquire, aswell by the othes of Maintenance of the Hauz.
twelue.

Iustice of peace.

twelve men, as otherwise by information, and thereupon to heare, and determine all and singular such offences as shall be done in the land, or within any haven, or peere (contrary to the statute provided 5. El. touching certaine politique constitutions made for the maintenance of the Navy) & if any person shalbe presented befoze the said Iustices within the limittes of their aucthorities, or any information giuen to them of any offendor of the said acte, then they haue aucthoritie, vpon such presentment or information, to make proces agaynst the offendors, as is commonly vsed vpon indictments of trespass, and if any be presented, and after ward conuicted by confession, or otherwise, then he shall suffer no lesse punishment or forfaiture, then in the sayde statute is limited, for the leuying of the which for. the said Iustices within y limits of their commissions, haue aucthoritie to make such proces as they shall thinke good by their discretions, but no information at the suite of any person concerning the sayd acte, shall be of effect to put any person to answere, or forfaiture, except the same be commenced within halfe a yere after the offence done, Nor any information or presentment for the Queene shalbe of effect &c. except the same be within one yere after the offence committed, contrary to the said act. 5. Eliz. 5. S. Fishdayes. Hempe and Flaxe. 2. Shippes. 1. 2. 3. 4. 5.

Tile makers.

97 **T**he Iustices of peace, within any Countie of this realme, and euery of them haue power to inquire, heare and determine the defaultes & offences comitted contrary to the statute provided 17. Ed. 4. for the true making of tyle. And if it be found, or may appeare to the sayde Iustices, or any of them, by examination or otherwise, that any person hath offended contrary to the sayde act, then the same Iustices shall assesse vpon the offendor no lesse fine, then in the said statute is limited. And the same Iustices haue power to assigne expert persons, in the occupation of Tile making, to search and examine the making thereof, And euery presentment made, by the saide searchers of any defaultes, befoze the said Iustices at their next sessions, shalbe as effectvall in the law, as the presentment of xii. men. And the Iustices haue power to examine, inquire, and determine the defaultes of searchers, in like maner, as they haue of Tile makers. 17. Ed. 4. 4. S. Tiles. 3. 4. 5.

**Wegrating of
woolles.**

98 **I**ustices of peace in their open sessions haue aucthoritie, vpon information, to heare and determine the offences of wooll dyuers, or wooll buyers, inhabiting within the parish of Halifax, which shall sell their wools at any other place, forth of the towne of Halifax: And also of all such, as shall buy their wools at Halifax, and sell them againe unwrought in parne, or cloth, & to make proces agaynst y offendors, as in other cases to be determined befoze the, 2. & 3. P. & D. 13. S. Wools. 5.

99 ¶ Two Iustices of peace, whereof one to be of the Quorum, ^{23 bastards,} in or next vnto the limittes where the parish Church is, within which parish any bastard begotten & bozne out of lawfull matrimonie shalbe bozne, (vpon examination of the cause, & circumstance) shall & may by their discretions, take order aswell for the punishment of the mother, & reputed father of such bastard childe, and also for the better reliefe of every such parish in part or in all. And shall and may likewise, by like discretion, take order for the keeping of every such bastarde childe, by charging such mother or reputed father with the payment of money weekly, or other sustentation for the reliefe of such childe, in such wise as they shall thinke conuenient. 18. Cl. 3. S. Bastardy. 1.

100 ¶ If any person to whome any Agnus Dei, Crosses, Pictures, or Beades shall be offered, doe bring the partie that made him that offer, to a Iustice of peace of that Shire, or within three dayes after such offer made, do disclose to him the name of the partie, his dwelling or place of resort, and if the same Iustice doe not within xiiii. dayes next after any such matter shall be shewed vnto him, declare the same to one of the Queenes priue Counsell: Then the Iustice shall incurre the danger, paine and forf. of premunire provided 16. R. 2. 13. Cl. 2. S. Rome. 5. 6.

Certificat of
Agnus dei,
Crosses, &c.

101 ¶ Two Iustices of peace whereof one to be of the Quorum, vpon information, certificat, or complaint, to them made in writing by any Ecclesiasticall Iudge, that gaue sentence against any person, which obstinately, & wilfully refused to pay his tithes or such summe of money, wherein he was condemned for the same, haue authoritie to cause the same partie to be attached, and committed to the next gaole; vntill he haue found sufficient suretie to bee bounde to the Queene, to performe the sayd sentence. 32. Hen. 8. 7. And the like authoritie haue any of the Queenes Counsell or two Iustices of peace &c. vpon the Ecclesiasticall Iudges request, for any contempt, contumacie or other misdeameanour of the partie defendaunt in any suite for subtraction of tithes, offerings, or other dueties of the Church vntill hee hath founde suretie &c. 27. H. 8. 20. S. Tithes, 22.

Tithes.

102 ¶ Every Iustice of peace, within this Realme, that shal take any recognisance for the keeping of p^e peace, shall certifie, send or bring the same recognisance at the next sessions of peace, where he is or hath bene Iustice, that the partie so bounde may be called. And if the partie make default, the same default, the there to be recorded, And the same recognisance with the record of that default, shall bee sent, and certified into the Chancery, the Kings Bench, or into the Exchequer. 3. H. 7. 1.

Certificat of
recognisance.

103 ¶ No Iustice, or Iustices of peace, shall let to bayle, or main- ^{Warrant of} prise ^{offenders,}

Iustice of peace.

prise any such person or persons, which for any offence by any of them committed, be declared not to be repleuished, or bailed, or be forbidden to bee repleued or bayled by the statute made 3. Ed. 1. Nor any person arrested for manslaughter, or felony, or suspicion of manslaughter, or felony, being bailable by the law, shalbe let to bayle or mainprise by any Iustices of peace, if it bee not in open Sessions, except it bee by ii. Iustices of peace at the least, whetoe of one to bee of the Quorum, And the same Iustices to bee present together at the time of the said baylement or mainprise, which baillement or mainprise they shall certifie in wryting, subscribed, or signed with their owne hands, at the next generall gaole deliury, to be holden within the countie where the persons shalbe arrested or suspected, And y^e said Iustices or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any baillement or mainprise, shall take the examination of the prisoner, and information of them that bring him, of the fact, & circumstances thereof, And the same, or as much thereof, as shalbe materiall to proue the felony, shall put in wryting, before they make the baillement, which examination, together with the baillement, the said Iustices shall certifie at the next general gaole deliury, to be holden within the limits of their commission, And also the sayde Iustices haue authoritie to binde all such by recognisance, or obligation, as do declare any thing material to proue the said manslaughter, or felony, to appeare at the next generall gaole deliury to bee holden within the Countie, citie, or towne corporat, where the triall thereof shalbe, then & there to giue euidence against the partie so indicted, at the time of his triall, & shall certifie euery such band taken before them at the next generall gaole deliury. And if any Iustice of peace, or Quorum shal offend in any thing contrary to the true intent and meaning of this Act, the Iustices of gaole deliury of the Shire, Citie, town &c. where such offence shalbe committed, vpon due prooofe thereof by examination before them, shall for euery offence, set such fine on euery of the same Iustices of peace, as the same Iustices of gaole deliury shal thinke meete. But the Iustices of peace, and Coroners in London and Middlesex, and other cities, boroughs and townes corporat in England and Wales, haue authoritie to let to bayle felons and prisoners, as they haue bene heretofore accustomed, But they shal take examinations and bandes as is aforesaid, vpon euery baylement by any of them made, and shall certifie them at the next gaole deliurie, to bee holden within the shire, citie, borough &c. vnder the foresaid payne &c. 1. & 2. P. & P. 13. S. Maynprise. 52.

Imprisonment
of offenders.

In like sort euery Iustice or Iustices of peace, before whome

whome any person shall be brought for manslaughter or felony, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, & information of those that bring him, of the fact, and circumstances thereof, and the same, or as much thereof, as shall be materiall to prove the felony, shall put in writing, within two dayes after the said examination, & the same shall certifye in such maner and forme, and at such time, as they should & ought to doe, if the prisoner had bene bayled, or let to mainpryse, upon such paine, as in the former statute is expressed, for not taking, or not certifying examinations. And the said Justices haue authoritie to binde all such by obligation, or recognisance, as do declare any thing materiall to prooue the manslaughter, or felony, to appeare at the next generall gaole deliuey &c. to giue euidence &c. and shall certifye the sayd bonds. Vt supra. 2. & 3. P. & M. 10.

105 **T**he Justices of peace within the shires next adioyning to the riuer of Champe, betwixt Grauesend and Windsor, within their seuerall iurisdictiones, haue authoritie vpon complaint made vnto them, or any of them, by the eight ouerseers of Watermen, or two of them, or by the master of any seruant being a waterman, to examine, heare and determine all complaintes and offences, committed by any such person, that shall offend contrary to the true meaning of the Statute provided 2. & 3. P. & M. for Watermen, vpon the riuer of Champe, and to set at libertie euery person imprisoned by the sayd ouerseers, if iust cause shall appeare vnto them so to doe, And to correct the said ouerseers, that shall without good cause punish any person, by colour of the said Act. 2. & 3. P. M. 16. S. Boates, 2.

106 **A**ll and singular Commissions graunted, or to be graunted to any Citie, or Towne corporat, not being a Countie in it selfe, for the keeping of their peace, and deliuey of the prisoners remaining in the gaoles of any such Citie, or Towne corporat, shall remaine and be good in the law, to all intents, the graunting of any like commission of peace or gaole deliuey, to any Commissioner or Commissioners, for the conseruation of the peace, or deliuey of the prisoners, remaining in the gaole of any Shire, Lache, Rape, Riding, or wapentake within this Realme of England, bearing date after the said commission or commissions graunted to any such Citie or Towne corporat, not being a Countie in it selfe, to the contrary notwithstanding. 2. & 3. P. & M. 18. S. Discontinuance of proces. 6.

One Commission of the peace shall not be a superleues as to another.

107 **T**he Act made against unlawfull, & rebellious assemblies, of the effect thereof, shall be read or declared at euery quarter sessions. (1. P. 12.) And so shall the Statute made 5. El. 1. for assurance of the

Statutes declared at sessions.

Queens,

Iustice of peace.

Queenes power ouer all estates. And so shal the statute made 33. H. 8. for the maintenance of Artillerie, and debarring vnlawfull games.

108 ¶ Iustices of peace haue authoritie to inquire of, heare and determine diuers other offences, prohibited by seuerall Statutes in force, but the aucthoritie is specially giuen vnto them by the wordes of the Queenes commission of peace, and not by the letter of any of the said statutes, and therefore see the Commission, & peruse the statutes placed in their apt titles, in this treatise.

Sherife not
Iustice.

1 That no Sherife shalbe Iustice of peace in the Countie where and when he is Sherife, S. Sherife, 21.

Indictments
in Turnes.

2 That Sherifes shall deliuer all indictments & presentments taken before them at their turnes, to the Iustices of peace, and that the Iustices shal make proces against, arraigne, and deliuer the offenders, S. Sherifes, 12. 13. 14. 15.

Examination
of Sherifs, &c.

3 That ii. Iustices of peace may examine Sherifes, vnder Sherifs, shire Clerkes & Bailifes of hundreds, of entering of plaintes before them, and execution of proces, and who shal appoynt those Iustices, and how they shall reforme offences. S. Sherifes, 16. 20.

Estretes.

4 That the Sherifes shal make no estretes to leuy amerciaments vntil two Iustices haue had the oversight thereof, & that one part of the estretes indented shal remayne with the Iustices, S. Sherifes, 18.

Sherifes Bailifes.

5 That Iustices may sweare the Sherifes Bailifes to gather but their duetie, and after examine them thereof, S. Sherifes, 19.

Precept into
another countie.

6 Where Iustices of peace may direct their precept, to be executed out of their limits of their commission, S. Prison. 2. Indictments, 2, 3. Laborers, 28. Bridges, 5.

Prisons.

7 For the aucthoritie of Iustices of peace concerning the edifying of gaoles in certaine Counties, the assessing of the shire, the appoynting of collectors, & surueyors, & calling the to accopt, S. Prison, 1, 2.

Offendors.

8 To what prisons Iustices of peace shall committe offenders, S. Prison, 7.

Gunners.

9 That a Iustice of peace shall receiue the names of those which shoote in gunnes, & cause them to be recorded, S. Gunnes, 11.

Hospitalls.

10 That two Iustices of peace shal be assistant to the Bishop or his Chauncellor, or take their accompt, which haue the collection of hospitall lands, S. Hospitals, 1.

Panels.

11 That Iustices of peace may reforme panels, returned before them, S. Iurors, 8.

Concealments.

12 That Iustices of peace may take enquests to inquire of concealments of other enquests, S. Iurors, 9.

Mariners.

13 For Iustices aucthoritie, in taking Mariners to serue the Q.

on the sea. S. Mariners. 3.

14 That Iustices within London & vii. miles compasse, shall assist the Colledge of Physicians, to execute the statutes for them provided. S. Physicians. 10.

15 That none hath authoritie to make Iustices of peace, but the Queene. S. Prerogatiue. 17.

16 That Iustices of peace shal arrest those which commit Riots, inquire of Riots, and certifie the same. S. Riots. 1. 2. 3. 5.

17 That commissions shalbe awarded, to inquire of the default of Iustices of peace touching inquire of riots. And that the Chauncelors shal direct a writ vnto them to make inquire. S. Riots. 6.

18 What the Iustices shall forf. which doe not certifie the names of the maintainers, or iunbraceors, with their misdemeanours, by whose meanes any Riot is not found by the Iurie. S. Riots. 15.

19 For the dutie of Iustices of peace, concerning the executing of the statute made against vnlawfull & rebellious assemblies. S. Riots. 16. &c.

20 For the dutie of Iustices of peace, concerning the examination & punishment of any which shal disturbe, or misuse any preacher in his sermon, or which shall rescue or disturbe the arrest of any such offendor, or suffer him to escape. S. Preachers. 1. 2. 3.

21 That Iustices of peace shall receiue Dockets, of the high Constables, petit Constables, & headboroughs, of all such thinges which be purueied for the Q. within the same Countie where &c. And shal deliuer them ouer to the lord Steward, Treasorer, or Comptroller of the Queenes house. S. Purueyours. 29.

22 Where a Iustice of peace may take an abiured person out of sanctuarie. S. Sanctuarie. 9.

23 Where Iustices of peace shall execute the commission of Sewers. S. Sewers. 16.

24 That Iustices of peace shall limit vitailers gayne, and punish them which take excessiue. S. Vitailers. 3.

25 That Iustices of peace may enter into a marchauntes house which denyeth to sell wine, at the price assessed &c. and sell and deliuer the same. S. Wines. 4.

26 That none shall sell wines in townes not corporat, but by the assignement of the Iustices of peace. S. Wines. 9.

27 Where two Iustices shall deuide a wood, if the owner & commoners thereupon cannot agree. S. Woods. 8. 9.

28 For the authoritie of Iustices in punishing those which go or ryde armed. S. Armour. 10.

Laborers, Artificers, Seruants, Apprentices.

None of these
seruants shalbe
retained vnder
a yere,

NO person shall retayne, hire, or take into seruice, or cause to be retayned, hired, or taken into seruice, nor any person shal bee retayned &c. to worke for any lesse time then for one whole yere, in any of the sciences, or artes of Clothiers, Wollen cloth weauers, Tuckers, Fullers, Clothworkers, Sheremen, Diers, Woollers, Tailers, Shoemakers, Tanners, Pewterers, Bakers, Briers, Glouers, Cutlers, Smithes, Ferroers, Curriers, Sadlers, Spurriers, Turners, Capers, Hatmakers, or Felmakers, Bowyers, Fletchers, Arrowheadmakers, Butchers, Cookes, or Millers. 5. El. 4.

These persons
vpon request
are compellable
to serue in
handicrafts.

2 Every person vnmarrid, & every other person vnder the age of xxx. yeres married, hauing bene brought vp in any of the said artes, or sciences, or that hath vsed or exercised any of them by the space of iii. yeres, or more, and not hauing landes, tenementes, rents, or hereditaments, copyhold or freehold of one estate of inheritance, or for terme of any life or liues, of the cleare yereley value of xl. s. nor being worth of his owne goods the cleare value of x. li. and so allowed by two Justices of the peace of the Countie where he hath most commonly inhabited by the space of one whole yere, and vnder their handes and seales, or by the Maior, or other head officer of the citie, borough, or towne corporat, where such person hath most commonly dwelled by the space of one whole yere, & two Aldermen, or two other discrete Burgessees of the same citie &c. if there bee no Aldermen, vnder their handes and seales, nor being retained with any person in husbandry, or in any of the foresaid artes according to this statute, nor lawfully retained in any other arte or science, not being lawfully retained in houtholde, or in any office with any noble man, gentleman, or others, according to the lawes of this realme, nor hauing a conuenient farme or other holding in tillage whereupon he may employ his labour, shall during the time that he or they shall be so vnmarrid, or vnder the sayd age of xxx. yeres, vpon request made by any person vsing the Arte or Mystrerie wherein the said person so required hath bene exercised as is aforesaid, be retained, and shall not refuse to serue according to the tenour of this Statute, vpon the paine hereafter mencioned. 5. El. 4.

These persons
are compellable
to serue in hus-
bandry.

3 Every person betwene the age of xii. yeres, & the age of lx. yeres, not being lawfully retained, nor apprentice with any Fisherma or Mariner haunting the seas, nor being in seruice with any kiddor or carrier of any coine or meale, for prouision of the citie of London, nor with any husband in husbandry, nor in any citie, towne corporat, or market towne, in any of the artes or sciences appoynted by this statute, to haue or take apprentices, nor being retayned by the yere or halfe the yere at the least, for the digging, seeking, finding, getting, melting,

melting, fining, working, trying, or making of any Siluer, Tinne, Lead, Iron, Copper, Stone, seacole, stonecole, Hoopercole, or cherkecole, nor being occupied in or about the making of any glasse, nor being a gentleman boyne, nor being a student, or scholar in any of the Universities, or in any scholl, nor having lands, tenements, rents, or hereditaments, for terme of life, or of one estate of inheritance of the cleere perely value of xl.s. nor being worth in goods & cattels to the value of x.li. nor having a father or mother then living, or other ancestor, whose heire apparant he is then having lands, tenements, or hereditaments, or the perely value of x.li. or above, or goods, or cattels of the value of xl.li. nor being a convenient or necessary officer, or servant lawfully retained as is aforesayd, nor having a convenient farme or holding, whereupon he may or shall imploy his labor, nor being otherwise lawfully retained, according to the true meaning of this statute, shall be compelled to be retained to serve in husbandry, by the pere, with any person that keepeth husbandry, and will require any such person to serve, within the same shire where he shall be so required. 5. Eliz. 4.

4. ¶ If any person do by any secret meanes, directly or indirectly retaine, or keepe any servant, workman, or laborer, or doeth give any more or greater wages, or other commodity, contrary to the true meaning of this statute, or contrary to the rates or wages assessed or appointed in the proclamations made for that purpose, in the countie, citie or borough, where he doth inhabit, then he that shall so offend and be thereof lawfully convicted before any Justice of peace of the countie, or the Maior, or other head officer of the citie, borough, or towne corporat, and two Aldermen, or two discret Burgeses if there be no Aldermen, or before the lord President & councill in the marches of Wales, or the Lord President & council in the Northparts, shall suffer imprisonment by the space of x. dayes, without bayle or mainprise, and forf. v. li. And every person that shall be so retained & take wages contrary to this statute, or any branch thereof, or of the saide proclamation, and shall be thereof convicted before the Justices aforesaid, or any two of them, or before the Maior or head officers aforesaid, shall suffer imprisonment by the space of xxi. dayes without baile or mainprise. And every retainer, promise, gift, or payment of wages or other thing whatsoever, contrary to the true meaning of this Statute, and every writing and bond made for that purpose, shall be utterly voyde. 5. Eliz. 4. How the wages shall be rated. S. Justice of peace. 66.

5. ¶ If any person after he hath retayned any servant, shall put away the same servant before the end of his terme, unless it be for some reasonable and sufficient cause to be allowed before two Justices of peace,

Retaining or giving wages contrary to the statute.

Taking of wages contrary to the statute.

Putting away a servant within the terme.

Putting a-
way the seruāt
without a
quarters war-
ning.

peace, or one at the least within the said Countie, or before the Maior, or other chiefe officer of the citie, borough, or towne corporat, where in the said person inhabiteth, or if any such Master, Mistres, or Dame, shall put away any such seruant at the ende of his terme, without one quarters warning giuen before the sayd ende, then euery such master &c. so offending, shall forfeite xli.s. vnlesse he be able to proue by two sufficient witnesses, some reasonable and sufficient cause of putting away of his seruant during the terme, or a quarters warning giuen before the ende thereof, before the Iustices of Oyer and terminer, Iustices of assise, Iustices of the peace in the quarter sessions, or before the Maior or head officer of any Citie, Borough or towne corporat, and two Aldermen, or two other discrete Burgeses of the same Citie &c. if there be no Aldermen, or before the Lord President and Councell in the marches of Wales or in the North. 5. Cl. 4.

The seruant
departing
within his
terme, or with-
out warning,
or refusing to
serue.

6. ¶ If any seruant retained according to this statute, depart from his master, mistres, or dames seruice before the end of his terme, vnlesse it be for some reasonable and sufficient cause, to be allowed as is afore- saide: Or if any seruant at the ende of his terme depart from his ma- sters &c. seruice, without one quarters warning giuen before the ende of his terme, and before two lawfull witnesses, or if any person com- pellable and bound to be retained and to serue in husbandry, or in any other sciences aboue remembred, by the peere, or otherwise, doe vpon request made, refuse to serue for the wages rated and appointed by the Queenes proclamation in that countie, citie, borough where &c. accor- ding to the forme of this statute, or promise or couenant to serue, and doe not serue according to the tenor of the same, then euery seruant so departing away, and euery person so refusing to serue for such wa- ges, vpon complaint thereof made by the master &c. of the said seruant, or by the partie to, or with whom the said refusall is made, or promise not kept, to two Iustices of peace of the countie, or to the Maior or o- ther head officer of the Citie, Borough &c. and two Aldermen, or two other discrete Burgeses of the same City &c. if there be no Aldermen where the sayd Master &c. or the said partie to or with whom the sayd refusall is made, or promise not kept, dwelleth, or to eyther of the sayd Lords Presidents and Councell of Wales, and the North, the said Iu- stices, Presidents and Councell, and the said Maiors, head officers, and other persons of Cities, Boroughs &c. or any of them, haue power to heare and examine the matter, and finding the sayd seruant, or the sayd partie so refusing, faultie in the premises, vpon such proofes and good matter, as to their discretions shalbe thought sufficient, to commit him to ward, there to remaine without bayle or mainprise, vntill he shalbe

shal be bound to the partie, to whom the offence shalbe made, to serue and cōtinue with him, for the wages limited according to the tenour of this statute, and then to be discharged vpon his deliuerie, without paying any fee to the Gaoler where he shalbe so imprisoned. 5. El. 4.

7 **C**None of the sayde retayned persons in husbandry, or in any the Artes or sciences aboue remembred, after the time of his retainer expired, shal depart forth of one Citie, Towne, or parish to an other, Nor out of the Lache, Rape, wapentake, or hundred, Nor out of the countie or shire where he last serued, to serue in any other citie, towne corporate, Lache, Rape, wapentake, hundred, shire, or countie, vnlesse he haue a testimoniall vnder the seale of the sayd citie or towne corporate, or of the constable, or other head officer, and of two other honest householders of the citie, towne, or parish where he last serued, declaring his lawfull departure, and the name of the shire and place where he dwelled last before his departure, according to the forme hereafter expressed, which certificat, or testimoniall shal be written and deliuered vnto the sayd seruant, and also registred by the parson, vicar, or curat, of the parish where such master, mistres, or dame doth dwell, taking for the doing thereof ii. s. and not aboue. Memorandum that A. B. late seruant to C. D. of E. husbandman or Taylor &c. in the sayde Countie, is licensed to depart from his sayde Master, and is at his libertie to serue els where, according to the statute in that case made and provided. In witnesse whereof &c. dated the day, moneth, yeere, and place &c. of the making thereof. 5. El. 4.

Servants shal not depart into other townes without testimoniall.

The forme of the testimoniall.

8 **N**o person that shall depart out of seruice, shalbe retained or accepted into any other seruice, without shewing before his retainer, such testimoniall as is before remembred to the chiefe Officer of the towne corporate, and in euery other towne and place to the Constable, Curate, Churchwarden, or head Officer of the same where he shall be retayned to serue, vpon the paine that euery such seruant so departing without such certificat or testimoniall, shalbe imprisoned vntill he procure a testimoniall or certificat, the which if he cannot doe within the space of xxi. dayes next after the first day of his imprisonment, then the sayd person shall be whipped, and vsed as a vagabond, according to the lawes in such case provided. And euery person retayning any such seruant without shewing such testimoniall, or certificat, shall forfeit for euery such offence v. li. And if any such person shalbe taken with any counterfeit or forged testimoniall, then he shall be whipped as a Vagabond. 5. El. 4.

No seruant shal be retayned without shewing his Testimoniall.

Counterfeit testimoniall.

9 **A**ll artificers and labozers, being hyed for wages by the day or weeke, shall betwixt the middest of the monethes of March

Howe long workemen shal continue at their laboz.

Labourers, &c. 121

and September, be, and continue at their worke, at or before v. of the clocke in the morning, and continue at worke, and not depart vntill betwixt vii. & viii. of the clock at night, except it be in the time of breakefast, dinner, or drinking, the which times at the most shall not exceede aboue two houres and a halfe in the day, that is to say, at euery drinking one halfe houre, for his dinner one houre, and for his sleepe when he is allowed to sleepe, (the which is from the middest of May to the middest of August) halfe an houre at the most, and at euery breakefast one halfe houre. And all the said artificers and labozers betweene the middest of September, and the middest of March, shall be & continue at their worke, from the spring of the day in the morning vntill night, except it be in time afoze appointed for breakefast and dinner, vpon paine to forfait one penny for euery houres absence, to be defaulked out of his wages that shall so offend. 5. El. 4.

None shall depart from his worke before it be finished.

10 ¶ Every artificer and labourer that shalbe lawfully retayned, in or for the building, or repayring of any Church, house, ship, mill, or euery other peece of worke taken in great, in taske, or in grosse, or that shall take vpon him to make or finish any such thing or worke, shall continue and not depart from the same (vnlesse it be for not paying of his wages or byer agreed on, or otherwise lawfully taken or appoynted to serue the Queene &c. or for other lawfull cause or without licence of the master or owner of the worke, or of him that hath the charge thereof) before the finishing of the same worke, vpon payne of imprisonment by one moneth without baile or mainprise, and the forfeiture of v. li. to the partie from whom he shall so depart, for the which the sayd party may haue his action of debt against him that shall so depart in any the Queenes courts of record, besides such ordinarie costs and dammages, as may or ought to be recovered by the common lawes, for any such offence, wherein no III. &c. E. 1. &c. And no other artificer or labozer, retayned in any seruice to worke with h^e Queene, or any other person, shall depart from her Maiestie, or from the sayd person vntill the worke be finished, if the person so retayning the artificer or labourer, so long will haue him, and pay him his wages, or other dueties, vpon paine of imprisonment of euery person so departing by the space of one moneth. 5. El. 4.

Going into other shires for harvest worke.

11 ¶ But all persons of the Counties where they haue accustomed to go into other shires for harvest worke, and hauing at that time no harvest worke sufficient in the same towne, nor countie where hee or they dwelt in the winter then last past, bringing with him or them, a Testimoniall vnder the hand and seale of one Iustice of the peace of the shire, or other head Officer of the towne or place where hee or they

they come from, testifying the same, for the which he shall not pay a boue i. d. (other then such persons as shall be retayned in seruice according to the forme of this statute) may resort in haruest of hay or corne, from the countreys wherein their dwelling places are, into any other place or countrey, for the onely mowing, reaping, and getting of hay, corne, and graine, and for the onely working of haruest workes, as they might haue done before the making of this statute. 5. Cl. 4.

12 ¶ If any seruant, workman, or laborer, shall wilfully or maliciously make any assault or affray vpon his master, mistres, or dame, or vpon any other, that shall at that time haue the charge or ouersight of him, or of the worke wherein he is appoynted or hyred to worke, and being thereof conuicted before any two of the Iustices, Maior, or head Officer aforesayde, where the said offence is committed, or before either of the said Lordes, Presidents, and Councell before remembred, by confession of the sayd seruant, workman or laborer, or by the witnes and othe of two honest men: Then euery such offender shall suffer imprisonment by the space of one whole yeere, or lesse, by the discretion of two Iustices of peace, if it be without a Towne corporate, and if it be within a towne corporate, then by the discretion of the Maior, or head Officer of the same towne corporate, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receiue such other open punishment (so as it extend not to life, nor limme) as the Iustices of peace in open sessions, or as the moze part of them, or the sayde Maior, or head Officer, and sixe or foure at the least of the discrete persons of the same corporation, before whom the offence shalbe examined, shall thinke conuenient for the qualitie of the sayde offence so committed. 5. Cl. 4.

A seruant or
workman also
saulting his
master.

13 ¶ In the time of hay, or corne haruest, the Iustices of peace, and euery of them, and also the Constable, or other head Officer of euery towneship, vpon request, and for the auoyding of the losse of any corne or hay, shall and may cause all such artificers and persons, as be meete to labor by the discretion of any of the sayde Iustices, Constables, or other head officers, to serue by the day for the mowing, reaping, shering, getting, or inming of Corne and Hay, according to the skill and qualitie of the person, and none of the sayde persons shall refuse so to doe, vpon payne to suffer imprisonment in the stocks by the space of two dayes and one night. And the Constable of the Towne or other head Officer of the same where the sayde refusall shalbe made, vpon complaint to him made shall haue authoritie to set the sayde offender in the stocks for the time aforesayd,

Artificers are
compelable to
worke in har-
uest.

Labourers. &c.

and shall punish him accordingly, vpon paine to loole and forfeite for not doing thereof the summe of xli.s. 5. Cl. 4.

Women cōpel-
lable to serue.

14 ¶ Two Iustices of peace, the Maior, or other head officers of any Citie, Borough, or Towne corporate, and two Aldermen, or two other discreete Burgesles of the same citie &c. if there be no Aldermen, shall and may appoint any such woman, as is of the age of xii. yeeres, and vnder the age of xl. yeeres, and vnmarried, and forth of seruite, as they shall thinke meete to serue, to be retained or serue by the peere, by the werke, or day, for such wages, and in such reasonable sort, as they shall thinke meete. And if any such woman do refuse so to serue, then it shall be lawfull for the said Iustices, Maior, or head officer to commit her to ward, vntill she shall be bounden to serue as is aforesayd. 5. Cl. 4.

¶ husbandmā
may take an
apprentice.

15 ¶ Euery person being an housholder, and hauing and vsing halfe a plough land at the least in tillage, may haue and receyue to an apprentice any person aboue the age of tenne yeeres, and vnder the age of xviii. yeeres, to serue in husbandry, vntill his age of xxi. yeeres at the least, or vntill the age of xxiii. yeeres, as the parties can agree, and the said retayner and taking of an apprentice, shall be done by an indenture. 5. Cl. 4. S. 12. R. 2. 5. if a Child vñ husbandry vntill the age of xii. yeeres, and be made an apprentice after to any mysterie, his couenant shall be voyd. But whether this be in force, or repealed by the generall wordes of 5. Cl. 4. Quære.

Quære.

What pñtices
inhabitants in
Townes cōp-
porate may
take.

16 ¶ Euery person being an housholder, and xxiii. yeeres old at the least, dwelling in any Citie, or Towne corporate, and vsing any art, mysterie, or manuell occupation there, shall and may, during the time that he shall there dwell and vse any such art &c. haue and retaine the sonne of any freeman not occupping husbandry, nor being a laborer, and inhabiting in the same or in any other Citie or Towne corporate to serue and be bound as an apprentice after the custome and order of the Citie of London, for vii. yeeres at the least, so as the terme of such apprentice doe not determine before he shall bee of the age of xxiii. yeeres at the least. 5. Cl. 4.

These must
take pñtices
whose parents
may dispend
some lands.

17 ¶ It is not lawfull for any person dwelling in any Citie or Towne corporat, vsing any of the mysteries or craftes of a marchant trafficking by trade into any pñtes beyond the sea, Mercer, Draper, Goldsmith, Ironmonger, Ambroderer, or Clothier, that doth put cloth to making & sale, to take an apprentice or seruant, to be instructed in any of the artes, occupations, craftes, or mysteries, which any of them do vse (excepte such seruant or apprentice be his sonne,) or els that the father or mother of such apprentice or seruant, shall haue at the

at the time of the taking of him, landes, tenements or other hereditaments, of the cleere yearly value of xl. s. of one estate of inheritance or free hold at the least, or to be certified vnder the hands and seales of three Iustices of the peace of the shire or shires where the saide landes, tenements, or other hereditaments doe lie, to the Mayor, Bayliffe, or head officer, of such citie, or towne corporate, and to be inrolled among the recozdes there. But if any such merchant, mercer, draper, or other of the artificers aforesaide, doe dwell in a market Towne not incorporate, then the father or mother of an apprentice by him taken, must haue landes &c. to the value of three poundes &c. to be certified by three Iustices, and inrolled as is aforesayde. 5. Cl. 4.

18 ¶ It is lawfull for every person being an householder, & xxiii. yerres old at the least, & not occupying husbandry, nor being a laborer, dwelling in any market Towne not being incorporate, so long as the same shalbe weekly vsed as a market towne, and vsing any arte, misterie, or manuell occupation, during the time of his abode there, & so vsing such art &c. to haue in like maner to apprentice the child or children of any other artificer or artificers, not occupying husbandry, nor being a laborer inhabiting in the same, or in any other such market towne within the same shire, to serue as apprentice to any such art &c. as hath bene vsually exercised in any such market towne, where such apprentice shalbe bound, in maner and forme aforesaid. And the inhabitants of Godalming in the county of Surry within the limits of the watch of the same towne, may vse such occupations, and take and vse apprentices and seruants, as the aforesaid inhabitants within market Townes may do. 5. Cl. 4.

What parents
of inhabitants
in market
townes may
take.

Godalming.

19 ¶ It is lawfull to any person, vsing the occupation of a smith, whelewright, ploughwright, millwright, carpenter, roughmason, plasterer, sawyer, lymeburner, brickemaker, bricklayer, tiler, Slater, helper, tylemaker, linnen weauer, turner, cooper, miller, earthen pottier, wollen weauer, weauing huswives or householde cloth only, and none other cloth, fuller other wise called tucker or walker, burner of Oze and wood ashes, thatcher, or shingler, wheresoeuer he or they shall dwell, to haue or receiue the sonne of any person as apprentice in maner and forme abouesaid, to be instructed in these occupations onely and in none other, albeit the father or mother of any such apprentice haue not any landes, tenements, or hereditaments. 5. Cl. 4.

Whom
parents
may dispend
no longer.

20 ¶ It is not lawfull for any person, other then such as (at the time of the making of the statut being 12. Januar. An. Do. 1562) did exercise any art, misterie, or manuell occupatiō, to set vp, or exercise any craft, misterie, or occupatiō, now vsed within England or

None shall
corrupt any
craft
but which hath
bene appren-
tice.

Laborers, &c.

Wales, (except he shall haue bene brought vp therein vii. yeeres at the least, as appzntice in some aforesaid) nor to set any person on worke in such misterie or occupation, being not a workeman at the said vi. Januarii, (except he shall haue byn appzntice as is aforesaid) or els having serued as an appzntice, will become a iourneyman, or hyered by the yere, vpon payne that euery person willingly doing the contrary, shall forfait for euery default xl.s. for euery moneth. 5. Cl. 4.

*Wollen wea-
ners appzntice.*

21 ¶ No person using the misterie of wollen cloth weaver (other then such as bee inhabiting within the Countie of Cumberland, Westmerland, Lancaster and Wales, weaving frys, cottons, or hulsewifes cloth onely making and weauing wollen cloth commonly to bee solde by any Clothier,) shall take any appzntice, or shall in any wise instruct any person in the occupation of weauing aforesaide, in any village, towne, or place (Cities, Townes corporat, and market Townes, onely excepted) vnles such person be his sonne, or els that the father or mother of such appzntice or seruant, shall at the time of taking such person to be an appzntice or seruant, or to be instructed, haue lands, or other hereditaments, to the clere yereley value of iii. li. at the least, of one estate of inheritance, or freeholde, to bee certified vnder the handes and scales of thre Justices of peace of the Shire or Shieres, where the sayde lands &c. doe lye, the effect of the indenture to bee Registred within thre moneths within the Parish where such master shall dwell, and to pay for such Registring iii. d. vpon payne of forfaiture of xx.s. for euery moneth, that any person shall other wise take any appzntice, or set any such person on worke, contrary to the meaning of this Article. 5. Cl. 4.

*For ill appren-
tices, there shall
be kept one
Journeman.*

22 ¶ Every person that hath thre appzntices in any of the saide occupations of Clothmaker, Fuller, Shearman, Weaver, Tailor, or Shoemaker, shall retayne and keepe one Journeman, and for euery other appzntice aboue the number of the saide thre, one other Journeman, vpon payne to forfait for euery default therein x. li. But this act shall not pzeiudice or hinder the liberties graunted by act of Parliament in force to the Company of woofsted makers, and weauers in the Citie of Norwich, and the Countie of Norfolk. 5. Cl. 4.

*Woofsted ma-
kers.*

*Appzntices
bound within
age.*

23 ¶ Every person that shall be bounden by indenture to serue as an appzntice in any art, science, occupation or labor, according to this Statut, and in some aforesaid, albeit the same appzntice shall be within the age of xxi. yeeres at the time of making of his Indentures, shall be bound to serue for the yeres in the indentures contained, as largely to euery intent as if he were of full age at the time of the

the making of such indentures. But no person shall by force of this Statute be bounde to enter into any apprenticeship, other the such as be vnder the age of xxi. yerres. 5. Cl. 4.

24 ¶ If any person shalbe required by any householder, hauing and vsing halfe a plough land at the least in tillage, to be an apprentice, and to serue in husbandry, or in any other kind of art, myserie, or science befoze expressed, and shall refuse so to doe, then vpon the complaint of such housekeeper made to one Justice of peace of the countie wherein such refusall shalbe made, or of such householder inhabiting in any citie, towne corporate, or market towne, to the Mayor, bailife, or head officer of the said citie &c. if any such refusall shal there be, they haue full authoritie to sende for the same person so refusing. And if the said Justice, or the said Mayor, or head officer shall thinke the said person meete to serue as an apprentice in that art &c. wherein he shalbe so then required to serue, then he hath authoritie, (if the said person refuse to bee bounde as an apprentice,) to commit him vnto warde, there to remaine vntill he will be bounde to serue as an apprentice shoulde serue, according to the true meaning of this act. 5. Cl. 4.

The remedie
where one re-
quired to be
bounde p^retic^e
doth refuse.

25 ¶ If any such master shal misuse or euill intreate his apprentice, or the said apprentice shall haue any iust cause to complaine, or if the apprentice do not his duetie to his master, The said master or apprentice hauing cause to complaine, shal repaire vnto one Justice of peace within the said countie, or to the Mayor or other head officer of the said citie, towne corporate, market towne, or other place where the said master dwelleth, who shall take such order betweene the sayde master and his apprentice, as the equitie of the cause shal require. And if for want of good conformance in the said master, the said Justice, Mayor, or head officer can not agree the matter betweene him and his apprentice, then the said Justice, Mayor, or head Officer, shall take bonde of the said master to appeare at the next Sessions to be holden in the said Countie, or within the sayde Citie, Towne corporate, or Market Towne, to be befoze the Justices of the sayde Countie, or the Mayor, or head officer of the sayde Towne corporate, or Market Towne, (if the sayde Master dwell within any such,) and by his appearance and hearing of the matter befoze the sayde Justices, or the sayde Mayor, or other head Officer if it bee thought meete vnto them to discharge the sayde apprentice of his apprenticeshowde, then the sayde Justices, or sower of them at the least, whereof one to bee of the Quorum, or the sayde Mayor or other head Officer, with the consent of thre other of his brethren, or men of best reputation within the said Citie, Towne corporate,

The remedie
for a p^retic^e
which is mis-
used by his
Master.

A a. iiii.

or mar

Laborers, &c.

or market towne, haue power in wryting vnder their handes and seales, to declare that they haue discharged the sayde apprentice of his apprenticehoode, and the cause thereof, and the sayde wryting so being made and inrolled by the Clerke of the Peace, or Towne Clerke, amongst the Recordes that hee keepeth, shall bee a sufficient discharge for the sayde apprentice against his master, his executors and administratours. the Indenture of the sayde apprenticehoode, or any lawe or custome to the contrarie notwithstanding. And if the defaulte shall bee founde to bee in the apprentice, then the sayde Justices or the sayde Mayor or other head Officer with the assistents aforesayde, shall cause such due correction to be ministred vnto him, as by their discretion shall bee thought mete.

5. Cl. 4.

If there be fault
in the presence.

Taking of ap-
prentices con-
trary to this
statute.

In what ma-
ner all penal-
ties forsaide
by this statute
shall be employ-
ed.

26 ¶ All indentures, covenantes, promises, and bargaines, for the hauing, taking, or keeping of any apprentice, other wise to bee made or taken, then is by this statute ordeyned, shall bee clearly boyde in the lawe to all intentes, and euery person that shall take or newly retaine any apprentice contrary to the true meaning of of this Acte, shall forsaite for euery apprentice so taken x.li. the one halfe of which forsaiture, and of al forsaitures and penalties expresse and mentioned in this statute, other then such as are expressly other wise appoynted shall be to the Quene, her heires and successors, and the other moiety to him or them that shall sue for the same in any of the Quenes courtes of recorde, or before any of the Justices of Oier and terminer, or before any other Justices, or Iudges, or Councill before remembred, by A. of det. J. B. or other wise, wherein no W. C. B. &c. 5. Cl. 4. Who in this case shall haue the forf. in corporate townes. S. Corporations. 19.

London.
Norwich.

27 ¶ This Act shall not be preiudiciall to the Cities of London and Norwich, or to the lawfull liberties, customes, or priuiledges the same, concerning the hauing or taking of any apprentices, but the Citizens and freemen of the same Cities, shall and may take and retaine apprentices there, in such maner as they might lawfully haue done before &c. 5. Cl. 4.

Servants de-
parting into
another shire.

28 ¶ If any seruant or apprentice of husbandrie, or of any art, science or occupation aforesayde, vnlawfully departe or flie into any other shire, it shall be lawfull to the saide Justices of peace, and to the said Mayor, Bailifes, and other head officers of Cities & townes corporate, being Justices of peace there, to make & graunt writs of Capias, so many, and such as shall be needefull, to be directed to the Sherifes of the counties, or to other head Officers of the places whither such seruants or apprentices shall so depart, to take their bodies, returnable before them at what time shall please them, so that

that if they come by such proces, they shall be put in prison till they shall finde sufficient suertie, wel and honestly to serue their masters, mistresses, or dames, from whom they so departed, according to the order of the lawe. 5. Cl. 4.

29 ¶ But it is lawfull to the high Constable of hundredes in every shire, to hold, keepe, & continue petit Sessions, otherwise called statute Sessions, within the limits of their authorities, in all shires wherein such sessions haue bene vled to be kept, in such manner, as heretofore hath bene vled, so as nothing bee by them done therein contrary or repugnant to this act. 5. Cl. 4. Stat. sessions.

30 ¶ It shall be lawfull to every owner of Shippes or vessells, and to every houtholder vsing the trade of the seas by fishing or otherwise, and to every Gunner commonly called a Cannoner, and to every Shipwright, to take and keepe one or more apprentice or apprentices to be brought up in the said trades, every of the same apprentices to be to them bound for y. yerres or vnder. And every apprentice so taken being aboue seven yerres of age, shall be by the same covenants bound ordered, & vled to all intentes according to the custome of the citie of London, so that the same covenant or bonde of apprenticeship be made by writing indented & inrolled in the Towne where the same apprentice shall be then inhabiting if it be a Towne corporat, & if the towne be not incorporat, then to be inrolled in the next towne corporat to the habitation of every such apprentice. And the officers of every such Towne corporat shall take for every such inrollment not aboue xii. d. 5. Cl. 5. Owners of shippes, Gunners, and shipwrights, may take pzenices.

31 ¶ If any Beggars childe being aboue the age of five yerres and vnder xiiii. yerres, being male or female shall be liked of, by any subiect of this realme of honest calling, who shall be willing to take the said childe into service, the said subiect shall at the next generall sessions to be holden for the said Countie, by order of the Justices there, or the most part of them, haue the said childe bound with him (if it bee a man childe) till the age of xiiii. yerres, if it bee a woman childe till the age of xviii. yerres. And if the childe do after depart or be taken, or bee inticed from the said Master or Mistres, the Master or Mistres, to haue their remedie by order of the stat. of laborers as for their seruant, either by way of Accion, or otherwise, as well against the childe, as against the taker or inticer thereof. 14. Cl. 5. A Beggars child taken apprentice.

18. Cl. 3.

32 ¶ Every crafts man of the misterie and occupation of woollensted making, dwelling within any of the townes of Linne & great Par mouth, in the countie of Norfolke & suburbs of the same, may haue and take apprentice or apprentices (being male) of the age of xiiii. yerres and vpwrd, & being the Quenes naturall subiectes, for the Inhabitants in Linne & Par mouth.

Labourers, Lancaster, Lapse.

the terme of bi. yerres and not vnder, so that none of them excede the number of two at once, to learne, vse, and exercise the said craft within either of the said towne or suburbs of the same, albeit the Father of the same apprentice may not expende in landes and tenements to the yeerely value of twentie shillings, Any act or ordinance to the contrary made or to be made notwithstanding. 14. H. 8. 3. 26. H. 8. 16. 5. Cl. 4.

1 For conspiracies made by artificers or labourers for the order of their vvorkes. S. Artificers. 1.

2 Where the Master shall put avvay his seruant for vvearing of filke. S. Apparell. 1.

3 That none shal vvorke hats vvith forreine vvool, but vvwhich hath bene apprentice. S. Hattes. 3.

4 Hovve many apprentices a Hatmaker may take, and for vvhat time. S. Hattes. 6.

5 That none shalbe a Weauer but vvwhich hath byn apprentice S. Draperie. 76.

6 For the authoritie and duction of Iustices of peace, Maiors, &c. concerning the executing of the statute of Laborers. S. Iustice of peacc. 66. 67. 68. Corporations. 19.

¶ Lancaster.

WHat lands every Iuror ought to dispend vvwhich shall indiet in a forreine Countie, any person dvvelling in the Countie of Lancaster, & econverso S. Iurors. 17. 18.

2 For fines leuied before the Iustices of assise at Lancaster, of landes vvithin the Countie of Lancaster. S. Fines. 12.

3 That Tales de circumstantibus is grantable in the countie of Lancaster vvhere a full Iurie doth not appeare. S. Iurors. 21. 23.

4 For Exigents avvarded against any person dvvelling in the countie of Lancaster. S. Exigents. 6. 10. Liueries. 5.

5 For commissions of Sevvors to be granted vvithin the fees of the Duchie of Lancaster. S. Sevvors. 17. 19.

6 Hovv offices found in the countie of Lancaster shalbe receaued, and that they shalbe certified into the Court of Wardes. S. Offices. 7.

7 For inrolments of Bargaines and sales, of landes in the countie of Lancaster. S. Inrolments. 4.

¶ Lapse.

No title to conferre, or present by Lapse shall accrue vpon any deprivation Ipso facto, but after sixe moneths after notice of such deprivation given by the Ordinarie to the Patrone, 13. Cl. 12. S. Ecclie.

No lapse but
after notice.

S. Eccle. 1. 2. 3. 4. 5. & Quere vvwhether notice must be given vpon euery deprivation, or vpon deprivation onely vpon this Statut.

2 ¶ If any do present to a Church being voyde, the aduowson whereof is the Quene's so that suite is commenced betwixt the Quene and the other, if the Quene by iudgement of the court doe recouer her presentation, though it be after the Lapse of vi. moneths from the time of auoidance, no time shal prejudice her grace so that she present within the time of vi. moneths. Prærogatiua Regis. 17. Ed. 2. 8.

No lapse:
gainst the
Quene.

3 ¶ When any ordinarie hath given a benefice, which came rightfully to him by Lapse, and after the Quene presenteth, and commenceth her suit against the Patron, in this and all such like cases where the Quene's title is not tried, the Ordinarie or possessor shall be receiued to counterpleade the title made for the Quene and to haue his answer, the we and defende his right, though hee claime nothing in the patronage. 25. Ed. 3. 7. pro clero. S. Incumbent.

The Ordinarie
may counter:
pleade the
Queenes title
for a benefice
fallen by lapse.

¶ Leases.

AL leases made of any manors, lāds, tenements, or other hereditaments, by writing indented vnder seale, for terme of yerres, or for terme of life, by any person or persons being of full age of xxi. yerres hauing any estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or wiues, or jointly with their wiues, of any estate of inheritance made before the co-uererture or after, be good & effectual in the lawe against the lessors, their wiues, heires and successors, and euery of them according to such estate as is comprised in euery such indenture of lease, in like maner as the same shoulde haue bene, if the lessors thereof & euery of them at the time of the making of such leases had bene lawfully seised of the same lands comprised in the said indenture, of a good and perfect estate in fee simple to their owne only uses. But this act doth not giue any libertie to any person to make any more farmes, leases or takings of any lands &c. then hee shoulde or lawfully might haue done before the making of this act. 32. H. 8. 28.

Leases by fe:
nant in taile op
of the wiues
landes.

2 ¶ This act doth not extend to any leases made of any manors, lands &c. being in the handes of any farmer, or farmers by vertue of any olde lease, vnlesse the same olde lease bes expired, surrendred, or ended, within one yeere next after the making of the said new lease, nor to any graunt made of any reuerſion of any manors, lāds &c. nor to any lease of any manors, lands &c. which haue not most commonly bene lettē to farme, or occupied by the farmers thereof by the space of twentie yerres next before such lease thereof made, nor to any lease made without impeachment of waste, nor to any lease made

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uatiōs of leases
to be made by
tenant in taile,
or of the wiues
landes.

Leases.

made aboue the number of xxi. yerres or iiii. liues at the most fro the day of the making thereof, & vpon euery such lease there shall be reserved yeerely during y^e same lease due & payable to the lessors, their heires & successoꝝ to whom the same lands should haue come after the death of the lessors, if no lease therof had bene made, & to whom the reuerſion thereof shal appertaine according to their estates and interestes, so much yerely farme or rent or moze, as hath byn most accustomably payed for the manors, lands, &c. so litten within xx. yerres next befoze such lease therof made. And euery person to who the reuerſion of such manors, lands, &c. so litten shal appertaine after the death of such lessors, or their heires, shal & may haue such like remedy & aduantage, to all intents, against y^e lessees, their executoꝝ and assignes, as the same lessors might haue had, so that if the lessor were seised of any especial estate taile of the same hereditaments at the time of such lease, the issue or heire of the especial estate shal haue the reuerſion, rentes, and seruices reserved vpon such lease after the death of the said lessor, as the lessor himselſe might or ought to haue had, if he had liued. 32. H. 8. 28.

The wife shall
be partie to
euery lease
made of her
land.

3 ¶ The wife shall bee made partie to euery lease made by her husband, of any manors, lands &c. being the inheritance of the wife, and euery such lease shall bee made by indenture in the name of the husband and his wife, and she shal seale the same, and the farme and rent shalbe reserved to the husband and to the wife, and to the heires of the wife, according to her estate of inheritance in the same, and the husband shall not alien, discharge, graunt, or giue away y^e same rent reserved, nor any part therof longer then during the couerture, without it be by fine leuied by y^e husband & wife, but the same rent, shall remaine, discende, reuert, or come after the death of such husbande vnto such persons and their heires, in such sozt as the landes so leased shoulde haue done, if no such lease had thereof bene made. 32. H. 8. 28.

1 For the validitie & strength of al leases made by any Abbotes, Priors, Nunnes, Masters of Colledges, Chaunteries &c. before their feuerall dissolutions &c. S. Monasteries, 4, 9, 11, 12, 26.

2 What leases or other actes made by the husband onely, or by the husbände and vvife of landes of the wife, shall binde her or her heires. S. Women, 5.

3 What leases or other assurances may be made by any Bishop of their landes. S. Eccle. 6.

4 What leases or other assurances may be made by any Maister and fellowes, Deane and Chapter, Person, Vicar, or other hauing spirituall liuings. S. Eccle. 7. 8.

5 Howe

5 How long leases of benefices with cure shall endure, S. Eccle. persons, 9, 10, 11.

6 In what cases any spirituall person may take by lease any lāds, personage or Vicarage, & in what not, S. Eccle. persons, 14, 16.

7 For leases made by tenant in taile of lands, whereof the reuer-
sion is in the Queene. S. Recoueries, 4.

8 That lessee for yeeres may falsifie a recouerie had agaynst him
in the reuerfion. S. Recoueries, 8.

9 What remedie the recouerours haue agaynst the tenant for
terme of yeeres of landes recovered for rent due, or waste commit-
ted, S. Recovery, 8.

10 That lessees shal haue the same aduantage against the grāces
in reuerfion, that they might haue had agaynst the grauntours, S.
Condition, 2.

11 Where lessees for life or yeeres, are compellable to make
partition, S. Partition, 4.

¶ Leetes, Liberties, Lawdayes, and stewards thereof.

Stewards in their Leetes shall enquire by the othes of the Jurors, of what
things ste-
wards in leets
shall inquire.
if all the chiefe pledges or hedboroughes, or their dolens which owe
suite to the Court, be come.

And also if all the Jurors which owe suite to the Court be come,
and who be not.

And if there be any of the Lordes villaynes which haue fled away
and do continue in any other place, sauing in the Queenes demeanes,
and if they haue continued in the same demeanes by the space of a
yeere and a day, and if any of the sayd villains be in any other leete sa-
uing in this.

And of Customes & seruices due to this Court withdrawen, how,
by whom, and in what Bailifes time.

And of Purprestures made in any land, wood, or water to annoy-
aunce.

And of walles, houses, hedges, ditches, made vp, or broken downe to
annoyance.

And of bounds pulled vp and carried away.

And of wayes and pathes streightened or stopped.

And of waters stopped, or turned, or lead out of the right course.

And of breakers of houses, and common theeuers, and of their re-
payers.

And of those which commit petit larcenie in stealing of hennes,
geese, or shepes of coyne.

And

Leetes, Liberties, Lawdayes, &c.

And of cheeues which steale clothes through windows & walles,
And of those which go in the messlage of cheeues,
And of huies and cries leuied and not pursued,
And of the escape of any felon,
And of outlawes which retorne without the Queenes warrant,
And of bloodshed, and affrayes committed,
And of the rauishment of any woman which was not presented be-
foze the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of sellers of Cloth, and Curriers of leather dwelling out of
market townes.

And of the assise of Bread and Ale broken.

And of false measures, false balances and weights, and of those
which haue double measure, and buy by the greater and sell by the
lesser.

And of those which do continually haunt Tauerne.

And of those which do sleepe by day and watch by night, and fare
well, and no man knoweth whereof they liue.

And of those which take Doones in Winter by any engins.

And of any person imprisoned which is after let go without war-
rant.

And of those which do flie into any Church or Churchyard, and af-
ter depart without doing that which they ought to do. 18. Ed. 2.

Leather,
Cordwainers.

2 **C** Stewards of Leetes shall inquire, heare, and determine
in their leetes all offences committed within their iurisdiction con-
trary to the statute provided. 5. Eliz. touching Tanners, Curriers,
Shoemakers, and other artificers occupying the cutting of leather,
and also shall by their discretions examine all persons suspected to of-
fend the said act, or any parcell thereof. 5. El. 8. S. Leather.

Attachment in
the marches.

3 **C** Stewards of Leetes in their Leetes haue power to enquire
of all attachments made by the officers of the Courtes of the East
marches, or West marches, out of any of the Countyes of West-
merland, Cumberland, or Northumberland, or the Towne of New-
Castle vpon Tyne, and therein to proceede, as they may vpon presen-
ments taken befoze them in their leetes, of trespass or affrayes made a-
gaynst the Queenes peace. 31. H. 6. 3. S. Marches.

Apparell.

4 **C** Stewards in Leetes and lawdayes shall and may enquire,
heare and determine all offences committed within the limits of their
iurisdiction, contrary to the stat. provided. 1. & 2. H. 8. for the re-
formation of excesse in apparell, and where any forfeiture shall bee
found

found within the precinct of any leete or lawday, then the owner of the same leete &c. shall haue the one halfe, and he that will sue in any Court of recorde the other, And euery Stewarde of leete &c. hath authoritie vpon the conuiction of euery such offender to awarde proces vnto the Shirife of any shire for the apprehension of any such offender, which being apprehended shall be committed to the Gaole &c. 1. & 2. H. 8. 2. S. Apparell. 17. 18.

5 ¶ Stewards in their leetes & lawdayes, may enquire of all offences, & forfeitures committed contrary to the stat. provided 24. H. 8. for the reformation of excesse in apparel, & to aslesse fines vpon the offenders according to the said stat. 24. H. 8. 13. S. Apparell. 1. &c.

6 ¶ The Lord of euery leete hath authoritie to enquire of all the offences committed contrary to the purport and forme of the stat. provided. (1. Cl. for the preservation of Spawne and Frie of fishe) within the precinct of the said leete, such enquirie to be had in maner and sort as common amerciements, or other things enquirable in leetes haue bene lawfully vsed to be made, and vpon euery such presentment had in any leete or court by the othe of twelue men, of any offence made contrary to the said statute, all forfeitures appoynted for such offence shalbe vnto the Lord of the said leete, and shalbe leuied as amerciements for affrayes committed within the precinct of such leete haue bene vsed to be leuied, and if the steward of a leete, or some other for him do not charge the Iurie swozne in euery leete to enquire of al offences done within the precinct of the same leete, concerning the killing of spawne or frie of fish, Kepper, or Shedder, Salmons, or Trouts, Pickrel, Salmon, Trout, or Barbel, being not of lawfull length, & concerning the makyng of nets, & other engins, he shall forfait for euery offence fourtie shillings to the Q. and him that will sue for the same. And if any Iurie swozne in a leete hauing charge to enquire of the premises do willingly cōceale and make default in presentment of the offence and offenders, then the steward or bailife or their deputie may impanel an other Iury within the same leete, to enquire of such concealment, which being founde, euery of the Iuroys so concealing, shall forfait xx. s. to the Lorde of the leete for euery offence. 1. Cl. 17. 14. Cl. 11. S. Fish. 3. 4.

7 ¶ The Lorde of a Court, Leete, Lawday, or rape where any Crowne nettes. Crowne net shall be lacking, or not put in execution, shall haue the moitie of x. s. which shall be forfeited by the parish, township, hamlet, borough, or village where the default shall be, 24. H. 8. 10. 8. Cl. 15.

8 ¶ Stewardes of franchises, leetes and lawdayes haue power & authority to enquire of all and euery braunch of the statute provided, 33. H. 8. for

Leetes, Liberties, Lawdayes, &c.

for the maintenance of artillerie, of buttes, and of the making and selling of bowes, in their leetes and lawdayes, and to heare and determine the same. And also by their discretion to examine all persons not hauing bowes, shaftes, and arrowes according to the sayde stat. 33. H. 8. 9. S. Archerie. And where any forfayture giuen by the sayde stat. shall be found in any leete, the Lord of the same leete shall haue the moitie thereof. S. Playes. 7.

Buttillers Artificers.

9 ¶ Stewardes of leetes at their leetes haue auctoritie to enquire, heare, and determine all and singular offences committed by buttillers, artificers, workmen, and labourers, against the stat. for them provided. 2. Ed. 6. and to punish the offenders according to the tenor of the same stat. 2. Ed. 6. 15. S. Artificers. 1.

Butters.

10 ¶ Stewards of leetes, liberties, & lawdaies, at their leetes and lawdayes shal & may from time to time, enquire, heare, and determine euery of the offences committed contrary to the Act provided 4. & 5. P. & M. for the taking of Butters within the precinct of their leete, or libertie. 4. & 5. P. and M. 3. S. Capitaines. 12. 13. 14.

Crossebowes. Handgunnes.

11 ¶ It is lawfull to all stewards and Bailifes in their severall leetes and lawdayes, to enquire, heare, and determine euery offence committed contrary to the tenor of the statute made 33. H. 8. concerning Crossebowes, & Handgunnes, so that alwayes no lesse fine then x. li. be assessed vpon euery such presentment and conuiction, the one moitie of euery such fine to be leuied to the vse of the Queene, and the halfe of the other moitie to the owner of the leete or lawday, by distresse, or Accion of debt, and the other halfe of the said moitie to be to the partie that will pursue for the same in any of the Queenes Courts by A. J. wherein no W. E. P. &c. And if any Jury swoyne and charged to enquire for the Queene, of any offences committed contrary to the sayd statute, do wilfully conceale any of the saide offences, then the Stewards or Bailifes before whome any concealment shall be had, haue auctoritie to charge and sweare another Jurie of twelue or moe, to enquire of such concealment, and if such concealment be found and presented by the sayd Jurie, then euery of the first Jurie shall for. for euery such concealment of euery offence xx. s. the one moitie to be leuied to the owner of the leete or lawday by distresse, or Accion of debt, and the other to the J. to be recovered by A. J. &c. wherein no W. E. P. &c. But if the presentment or suit for any of the said for. be not commenced within one halfe yeere next after the offence committed, then the offender shall be thereof clearly discharged. 33. H. 8. 6. S. Gunnes.

12 ¶ Stewards in their leetes and lawdayes shall, and may enquire

quire, heare, and determine every of the offences committed contrary to the statute provided 13. Cl. for the wearing of Cappes, within the limittes of their auctoritie, and where any forfeiture shalbe found within the precinct thereof, the owners of the said leetes, or lawdaies shal haue the one moiety, & the other shalbee distributed among the poore inhabiting within y^e same 13. Cl. 19. S. Hattes 1. 2.

13 ¶ The Steward of every leete or lawday hath auctoritie ^{highwayes} to enquire by the othes of the suitors, of all offences committed within the leete or lawday against every point and article of the statute provided 2. & 3. P. & M. for the amendinge of high waies, & to assesse such reasonable fines & amercciaments for y^e same, as shalbe thought meete by the said steward, and the steward shall make estretes indented of al the fines, forf. and amercciamentes, for the defaultes presented befoze him, & shal deliuer the one part thereof sealed & signed by him to the Bailife or high Constable of every hundred, rape, lathe, or wapentake wherein the defaults shalbe presented, and the other to the Constable & Churchwardens of the parish wherein the defaults were made, to be deliuered verely within vi. weekes next after y^e feast of Saint Michael the Archangel 2. & 3. P. & M. 8. 5. Cl. 13. And the said Stewardest in their leetes & lawdayes shal heare and determine every offence, matter, and cause, that shal growe or arise by reason of the statute provided. 18. Cl. for the amendinge of highwaies. (8. Cl. 9. S. Highwaies.)

14 ¶ All Stewards of leetes and lawdayes in the same leetes ^{Breeds of horses.} and lawdayes haue auctoritie to enquire of al defaultes, contempts, omissions and offence contrary to the effect of y^e statut provided 32. P. 8. concerning the breede of horses of higher stature, & al presentments thereof found shalbe certified by y^e steward, deputy steward, or courtholder of the same leete or lawday in the next general sessions of the peace to be holden in the county where such presentment shalbe found, or vnto the Custos Rotulorum of the same shire, within xl. daies after that presentment made. And if any such steward, deputie, or courtholder, imbesile or conceale any such presentment, or do not certifie the same as is aforesaid, he shal forf. for every offence xl. s. to the M. & J. y^e wil sue for the same befoze the Justices of peace in their quarter sessions by A. J. &c. But the forf. of xl. s. for putting to pasture any horse, gelding, or mare, infected with scab or mange, upon any foress, chases, marishes, wast grounds, or common fieldes, shalbe to the Lord of the leete, where the offence shalbee presented. 32. P. 8. 12. S. Horse. 3. 4. 5. 6. 7. 8. 9.

15 ¶ Stewardest in their leetes & lawdaies haue auctoritie to ^{horsebreed.} enquire & determine every default and offence of hostlers makinge horsebreed not sufficient, lawfull, and of due assise, according to the price of

Leather, Tanner, Currier, Shomaker.

price of Cozne committed within the limittes of their iurisdiction contrary to the statut in that case provided. 32. H. 8. 41. S. Inholders 2.

Tracing of
Hares

16 ¶ Stewardest of leetes haue authoritie to enquire of such as do trace, destroy, & kil any hares in the Inowe, with dogge, bitch, or other wise, and after such inquisition found, the said Stewardest shall assesse vpon every such offendo: vi. s. viii. d. to be forsayt to the Lord of the leete 14. H. 8. 10. S. Hunters 2.

Wines.

17 ¶ The Steward in every leete hath authoritie to enquire by the othes of xii. lawful me, of al offences committed contrary to y^e stat provided 7. Ed. 6. to auoide the great prices & excesse of wines, and every such enquiry & presentment so taken and had, shalbe of such force, as if y^e same were taken in y^e kings bench, & every of y^e paines, penalties, & forf. to be due by force of the sayde act, for any offence committed by any person, which shalbe found by presentment before the said Steward, by verdict of xii. men, (and no bil, plaint, action, or information thereof commenced in any of the Quenes courtes of Record) shalbe equally deuided into two partes, whereof one shall be to the Quene, & the other to y^e poze of the towne, or place where such presentment shalbe found 7. Ed. 6. 5.

Felantes and
Wartriges

18 ¶ Stewardest of leetes, liberties and lawdayes within their scrueral iurisdiccions, shal and may heare, enquire, and determine of al and every offence or offences, which shalbe committed within y^e pfectinct of their liberties, iurisdiccions, or franchises, against the tenour of the act made An. 23. El. for the preservation of Felantes & Wartriges 23. El. 10. S. Felantes &c. 2. 3. 4. 5.

1 The statut provided 1. M. 12. & 1. El. 17. against vnlawful & rebellious assemblies, shalbe reade at every Leete, and lawday, or the effect thereof declared. And so shal the statut made 5. El. 1. for the assurance of the Quenes powver ouer al estates.

2 That the forf. of xx. s. for vvatering of hempe is to be recovered in a Leete S. Hempe 1.

3 At what time of the yere a Leete is to be holden S. Turne 1.

Gashing of
hides.

¶ Leather, Tanner, Currier, Shomaker.

¶ If any Butcher, or other person shall gash or cut the hide of any Bull, Dre, Stære, or Cowe, whereby the same shalbe impaired, or if any Tanner offer, or put to sale any such hide so gashed or cut, he shal forf. for every such hide xx. d. 5. Cl. 8.

who may be
a Tanner.

2 ¶ If any person (which at the feast of S. Michaell Anno Do. 1559. had not landes, rents, profits &c. of some estate of freeholde to the clere yerely value of xl. li. or aboue, or whose tanhouse was not at the same feast, is or shalbe in a citie, borough, towne corporate or market towne, where searchers and sealers of leather bee usually appointed)

appointed) do tanne any leather, or take any profit therby, he shall forfeit all the same leather: except such as at the saide feast had any tanhouse and did occupie tanning of leather, and except an apprentice to a Tanner, and except such as were then, or since, or hereafter shall be taught as covenant or hired servant for that purpose by the space of leuen yeares in the mystrie of Tanning: or wife to a Tanner, or sonne of a Tanner, which hath bene brought up, and vnto the mystrie of tanning of leather by the space of solwer yerres, or the sonne or daughter of a Tanner, or such person who shall marry such wife, or daughter to whom a Tanner shall leane his tanhouse and sates. 5. Cl. 8.

3 ¶ If any person vsinge the mystrie of tanning of leather, do suffer any hide to lye in the lyme a longer time then the haire falleth off, or may be taken off, or shall put the same into the lymes after the haire may be taken off, he shall forfeit the same hide, or the value thereof. 5. Cl. 8.

How long the
hide shall lye
in lyme.

4 ¶ If a Tanner imploy any licour, stufte or workemanshipp about the tanning of leather but onely lyme, culuerdung, or henne dung, & that in colde water only, & woses made of colde water, and Oken barke only, without mixture of any other thing, he shall forfeit the same leather or the value thereof. 5. Cl. 8.

What stuff may
be employed as
bout tanning.

5 ¶ If a Tanner put an hyde or skinne in tanne woses or lycour made whot or warmed in any vessell, to bee set or couered in any tanhill or other wise, or do ouer lyme anye hydres in the lyme pittes, or put any hides into any tanfats or vessels before the lyme be perfectly solened and wrought out of them, or shall lay or hang his leather wette in the frost, vntill the same bee frozen, or shall drie or parche his leather with the heate of the fire, or Summer Sunne, he shall forfeit the same hide or leather, or the value thereof. 5. Cl. 8.

No hide shalbe
put in tan wo:
ses that be
whot, nor shal
be frozen.

6 ¶ If a Tanner shall tanne any hides being putrified, rotten, or tainted by any meanes, or shall negligently worke them in woses, or shall not renue the woses as ofte as neede shall require, he shall forfeit the same hides, or the value thereof. 5. Cl. 8.

Rottē hydres or
evil wrought.

7 ¶ If a Tanner do suffer the hides for the better sole & clout leather to lye in the woses any lesse time then xii. monethes, and for the upper leather to lye lesse then ix. moneths at the least, or shall insufficiently tanne any hide, or shall tanne any Dre, Steere, or Colwe hides other wise then whole, without cutting of any bellies commonly called wombes or peeces from the same, (Hides for clout leather to be cutt into thre or solwer bendes ouerthwart the whole hide onely except) or shall put to sale any tanned hyde raced by the workemanship, or otherwise, or by vsing any other thing or stufte.

How long lea:
ther shall lye
in woses.

Insufficiēt tan:
ning or cutting.

Lether, Tanner, Currier, Shomaker.

or in other sort, then is here limited, he shal forfeit the same, or the value thereof. 5. Cl. 8.

Wrought
leather.

8 ¶ If any person put to sale, or depart with any kinde of tanned leather, red and wrought but sufficiently tanned, & thoroughly dyed, & put in open faire or market in the places thereof prepared, or before the same be searched & sealed, or do depart with any Dre, Steere, or Cowhide, but onely whole without cutting anye wombes or other peeces, (except clouting leather to be cut in bendes as is aforesaid) before the same be searched & sealed, he shal forfeit 5 hides, skinnes, or leather so sold, or the value thereof, & sixe shillings eyght pence for every hide or peece of leather, and iii. s. iiii. d. for every dozen of Calue skinnes. 5. Cl. 8.

A Tanner shall
not use other
occupations.

9 ¶ If a Tanner shall occupie the mysterie of a Shomaker, Currier, Butcher, or of any Artificer using cutting, or working of leather, he shal forfeit every hide & skinne so wrought or tanned, during the time that he shall use the mysterie of tanning, or the value thereof. 5. Cl. 8.

Bullhide, horse
hide, sheepe:
skinnes.

10 ¶ If a Tãner shal tãne any Bull hide, Horse hide, or Sheepe skinne, or put to sale, exchange, or depart with any of the same being tanned, he shal forfeit the same, or the value thereof. 5. Cl. 8.

Shing in the
haire.

11 ¶ If anye person shall buy, make any contract for, or bespeake any rough hide, or calues skinnes in the haire, but onely such as shal talwe the same, or such as by this statute may use the mysterie of tanning, and shal tanne the same (except salt hides for the necessary use of shippes) he shal forfeit the same hides, and skinnes so bought, or the value thereof. 5. Cl. 8.

Tanned leather
to be converted
into made
wares.

12 ¶ If any person do buy, bespeake, or take promise to have any tanned leather not wrought, and converted into made wares, but onely such as wil worke and convert the same into made wares, he shal forfeit 5 same leather or the value thereof, But Sadlers & Cordlers may sell their neckes and shreds of red tanned leather without incurring any forfeit. And every artificer and other person using to convert tanned leather into made wares, as wel stranger borne as other, may lawfully buy al kinde of tãned leather, to convert the same into made wares, at Leaden hall in London by 20 every Monday, the same being first duely searched, sealed, and registred as is hereafter limited. The hide and skinnes of Dre, Steere, Bull, Cowe, Calfe, Deere, red & fallowe, Goates and Sheepe being tanned or talwed, and every salt hide, is & ever hath ben reputed leather. 5. Cl. 8. S. 36.

Currier.

13 ¶ If a Currier do currie any leather in any other persons house but only in his owne, & that being scituat in a co2porat or market towne, or doe currie any leather being not well tanned, or not thoroughly

thoroughly dye after his wettest season (in which wet season he shall not use any scale brin, or other deceitful mixture, or meanes to corrupt y^e same) or do currie any leather meete for better sole leather, wth any other stuffe then wth hard tallowe, or any leather meete for ouer leather & inner soles, but onely with fresh stuffe and not salt, & both thoroughly licoured as much as the leather will receiue, vntill it can receiue no moze, or shall burne or scale or shauie too thinne, any leather in y^e currying, or do not worke y^e same sufficiently in al points, he shall forfeit for euery offence vi. s. viii. d. & the value of euery such hide or skinne so marred &c. 5. Cl. 8.

14 ¶ If a currier shall gash or hurt any leather in shauing or by other meanes, he shall forfeit to the party grieved double so much as the leather shalbe impaired thereby. Al currying and dressing of leather called dye currying & frising, shalbe construed to be dressing and currying after the maner of Spanish leather, of what colour soeuer it be 5. Cl. 8.

Currier hue-
ting leather.

Dye currying
and frising.

15 ¶ If any currier shall exercise the feat of a Tanner, Cord-
wayner, Shomaker, Butcher, or other artificer vsinge cuttinge of leather, duringe the time that he shall occupie the misterie of a Currier, he shall forfeit six shillings eight pence for euery skinne that he shall currie, during the time that he shall so use any of the mysteries aforesaid 5. Cl. 8. Neyther shall any Sadler, Cordler, Cordwainer, or other artificer dwelling in London, & the suburbs thereof (which shall cut leather to make wares thereof) currie or dresse any thereof in his owne house, or by his seruants, vpon paine of forfeiture thereof to the D. & J. to be recovered by A. J. &c. wherein no W. C. D. &c. 5. Cl. 6. 19.

Currier exerci-
sing another
trade.

16 ¶ If a Currier refuse to currie any leather to him brought for that purpose by any cutter of leather, or his seruant bringing wth him good stuffe for the perfect licozing of the same, in the presence of the said cutter, or his seruant, if he wil be present, or else in his absence, and that in al thinges wel, and within five daies in the Summer, & tenne daies in the Winter, after he shall take the same in hande, he shall forfeit to y^e D. grieved for euery peece of leather not in this maner curried and speedily dressed x. s. 5. Cl. 8.

Within what
time leather shal
be curried.

17 ¶ If the wardens of the Curriers or their assignes, do not search and seale al leather brought to any of their company to be curried, which shalbe sufficiently curried, within one day after currying and request, taking for euery hide after y^e rate of i. d. for the Dicker, and for sixe douzen of Calueskinnes i. d. of the Currier, they shall forfeit for euery hide so not searched and sealed sixe shillings eight pence 5. Cl. 8.

Wardens of the
Curriers shal
search & seale
leather.

18 ¶ If any person dwelling in London, or being free of y^e citie
dwelling

Currying of le-
ther in Lodon.

Leather, Tanner, Currier, Shomaker,

dwelling within thre miles of the same, occupying wet curried leather in his art, shal put any leather to be curried but to such persons as shalbe frée of the company of þ Curriers in London, he shal forf. al such leather o2 the value thereof. 5. Cl. 8.

Shomaker

19 ¶ If a Shomaker shal make any Bootes, Buskins, Shoes, Startups, Slippers, o2 Pantables, o2 any part of them of English leather wet curried (other the Deares, Calues, o2 Goates skinner, made o2 dyessed like vnto Spanish leather) but of leather wel tãned, & curried in so2me aforesaid, o2 leather wel tanned only, and wel sewed with good threadd, well twisted, and sufficien: lye wared, wyth ware wel rosened, and the stiches wel dwaiven with handlethers, without mixinge of Peates leather & Calues leather in þ ouer leather, he shal forfast for euery paire of shoes, bootes &c. made, sold, o2 put to sale to the contrary, thre shillinges iiii. d. and the value of the same 5. Cl. 8.

What leather a shomaker shal put into his ware.

20 ¶ If a Shomaker shal put into any part of Shoes, Bootes, Buskins, Startups, Slippers, o2 pãtables, leather made of Cheepes skinne, Bull, o2 Horsehide, o2 into the vpper leather of any shoes, Startups, Slippers, o2 Pantables, o2 into the neather part of any bootes (the inner sole & heele of the shoe onely excepted) any part of a hide from which þ sole leather is cut, called þ wombe, necke, shanke flanke, pole, o2 cheeke, o2 into any vtter sole any other then the best of the Dre o2 Stære hide, o2 into þ inner sole, other then þ wombs, necke, pole, o2 cheeke, o2 in the treatwelles of the double soled shoes, other then the flanks of the fozesayd hides, he shal forfast for euery paire &c. iii. s. iiii. d. & the value of the same. 5. Cl. 8.

No winter wares shalbe made of dyce leather.

21 ¶ If a Shomaker do make betwene the last of September and the 1. of Aprill, any shoes, boots, buskins, startups o2 slippers meete for any person to weare exceedinge the age of fower yeares, wherein shalbe any dy English leather (other then calues o2 goates skins made o2 dyessed like vnto Spanish leather.) And shal shew to the intent to sell any shoes, bootes &c. vppon the Sunday befoze diuine service in the fozwone be ended, he shall forfast for euery paire made, sold, shewen o2 put to sale to the contrary iii. s. iiii. d. & the value thereof 5. Cl. 8.

Selling wares vpon the Sunday.

Fower searchers within London.

22 ¶ The Maior and Aldermen of London shall verely vppon paine of xl. li. (to be forfasted to the R. & J. &c.) appoint fower searchers, which being sworne shal once euery quarter of the yere at the least, make true search of al wares made of tanned leather in euery house & place within the Citie of London & thre miles of the same, where any Shomaker, Sadler, Cordler, o2 other artificer vlinge cutting of leather doth dwell o2 occupy any of the occupations of cutting of leather, & after search shal make true presentmēt in writing to the

to the Mayor & Aldermen, of every default they or any of them shall finde in y^e making, selling, or putting to sale of any bootes, bulkins, startups, shoes, bridles, saddles, or other thinges, or wares made of leather contrary to y^e true meaning of this act. 5. Cl. 8.

23 ¶ The Mayor & Aldermen shal upon the like paine yearly appoynt other or twer expert & honest persons, which being sworne, shal search every tanned hide, skinne or leather, which shalbe brought to Leaden hall market, or to any other faire or market within thre miles of the cittie, and so many as they shall finde sufficiently tanned they shal seale with a seale for that purpose prepared, which shal remaine in the custodie of one of them. 5. Cl. 8.

24 ¶ If any person bring to his house in London any red tanned leather, be it sold before or not, before he bring the same to Leaden hall to be viewed whether it hath bene searched or sealed, and to be registred by the searchers with halfe the fees hereafter expessed therfore to be paid, hee shal forfeit for every hide, vi. s. viii. d. to the M. & A. to be recovered by A. J. &c. wherein no W. C. B. &c. But this article extendeth not to leather brought to Bartholomew faire or Southwarke market, searched, sealed, and registred according to this act. 5. Cl. 8.

25 ¶ All Mayors, bailiffs, & other head officers of cities, boroughs and market townes, and all lordes of liberties, faires, and markets shal upon paine of xl. li. (likewise to be leuyed & imploied) appoynt & sweare yerely two, thre, or more honest & skilful men, to searche & view within their offices or liberties, which shal as oftē as neede shalbe, or they thinke good, make like searche within their limits, & shal haue a seale or mark for y^e purpose, which one of the shal keepe, & therewth shal seale or marke such leather as they find sufficient & no other. And if they or any of the find any leather sold or offered to be sold or brought to be searched or marked insufficiently tanned or curried, or any bootes, shoes, or other thing made of tanned or curried leather insufficiently tanned, curried, or wrought contrary to thys statute: it shalbe lawful for them to seise the same as forfeit, & to retaine the same in their custodie, untill it be tried by sixe expert men appointed by such Mayor, bailiffe &c. within whose libertie such seisure shalbe, & that triall to be made within fiftene dayes after such seisure upon the othes of the tryers. And the sayd sealers and searchers shal within y^e limits of their searches, keepe a booke or register, & upon request to them made by the buyer or seller, shal register al such bargaines as shalbe made for leather, hides and skinnes, and the names and dwelling places of al such persons which shall buy and sel any leather, hides or skinnes during the time of y^e faire or market with the prices, upon paine of forl. of iii. s. for ever pence

1513. iii. j.

for not

Sealers of lea-
ther.Leather brought
to Leaden hall.Bartholomew
faire, South-
warke market.Searchers in
townes, libe-
ties, faires.

Leather, Tanner, Currier, Shomaker.

for not registering of every Dicker of Leather, and iij.s. iijj.d. for every dozen of Calveskinnes, & so after the rate. And the said searchers and sealers shall take for their paines for sealing of Leather, cutting of h wombes, & registering thereof, of h seller of every dicker of leather so etered. iij. pēce. And for every vi. dozen of Calveskins iij. d. & of the buyer after h same rate, & no moze vpo the pain afoze said. But this act is not pzejudicial to the Chauncelors, vicechauncelors, taxors, and scholars of the vniuersities of Orfozd and Cambridge, concerning the aucthoritie of search of tanned leather, o2 any h forsaitures for h same, which they lawfully had befoze h making of this act, so as they obserue such order in al thigs about searching, sealing, and registering of leather, as by this act is appointed, vpon the paines contained in the same. 5. Cl. 8.

Orfozde.
Cambridge.

If the searcher
do not his
dutie.

26 ¶ If any searcher so appointed, shall not do his dutie, as in refusing to seale good leather, making default in search, in allowing that which is sufficient, o2 in concealing of faults, h Maior, Bailife, lord of faïres, & other persōs which shall appoint searchers & sealers shall for. for every offence xl. s. to the D. & J. to be recovered by A. J. &c. wherein no W. &c. C. D. &c. 5. Cl. 8.

Denying of
search.

27 ¶ If any person wil deny the searchers appointed, to enter into his house, o2 other place to vieto & search al tanned leather and wrought ware, & to seise and carry away al such as they shall finde insufficiently tanned, curried, o2 wrought of euil stuffe, he shall for. b. li. to the D. & J. to be reconered by A. J. &c. wherein no W. &c. C. D. &c. 5. Cl. 8.

Cutting of
wombes.

28 ¶ If h searchers o2 sealers do not after tanning, & befoze currying of any leather brought to be searched & sealed, cut of so much of the hide truly tanned, to be solde to a Shomaker, Cordwayner o2 Cobler, into wombes, as they shall by their othes think vnmete to make vtter sole leather of, the said Shomaker &c. shall for. for every hide not cutt. iij. s. iijj. d. and the searcher as much for every dicker of leather not so cutte. And if a Shomaker &c. do carrie any Dre o2 Steerhide tanned, wherof any sole leather shall be cut, out of anye faire o2 market whole befoze h wombes be cut of, hee shall forsayt every such hide, o2 the value, & vi. s. viij. d. to the D. & J. to be rec. by A. J. &c. wherein no W. &c. C. D. &c. But no person to whom such vnlawful leather o2 stuffe shall be geuen by this act, shall geue o2 sell the same to any person that shall sell the same, vpon paine that the buyer shall forsayt for every parcell solde contrarie &c. vi. s. viij. d. 5. Cl. 8.

No forsaïted
stuffe shall be
solde.

Registering of
Leather.

29 ¶ If any person sell, exchange, o2 put away any tanned leather, red and vnwrought, except hee cause the same to bee registered and the p;ice thereof, hee shall forsayt the value of the same leather.

And

And whosoever doth buy any tanned leather, before the same be sealed and sealed, or doth carrie the same out of any market or faire untill it be registred, he shal forfeit the same or the value. 5. Cl. 8.

30 ¶ If any Currier, Shomaker, Sadler, or other artificer using cutting, or working of leather, dwelling in London or within three miles compass, do not currie, put into, make and worke their wares belonging to their occupations, sufficiently and substantially according to the true meaning of this statut, the wardens of every of the said companies shal forfeit for every offence done by any person under their order, suruey & search. v. li. for every Artificer inhabiting within the citie of London, or. iii. miles compass of the same, using any manuel occupation of cutting or working of leather into made wares, shal contribute, pay, & bee under the suruey & search of the wardens of such companies of the said city, as the artificers commonly using the like occupation, being free men of the same city, & of the same company be, concerning onely the wares & stuffe made of or of leather in like manner as other free men of the same company do to the wardens of their company within the said Citie. 5. Cl. 8.

The Wardens
for. for the
workmens
offence.

31 ¶ If an artificer using cutting of leather shal sel in London or within three miles compass therof, any wares belonging to his mystery but onely in open shoppe, common faire or market, he shal forfeit all the wares so sold, and r. s. for every time. All which forfeitures aforesaid of summes of money (except such as are otherwise before disposed) shalbe divided into iii. equal parts, whereof one shalbe to the Quene &c. another to him that wil first sue by A. J. &c. where in no W. C. P. &c. And the third part shal go to the Citie, Borough, Towne, or Lord of libertie where the offence shalbe committed. And all such leather, boots &c. wares, stuffe, & other things made of tanned or curried leather, which shalbe found insufficiently wrought, tanned or curried, & by this act declared to be forfeited, & shalbe seised by any person finding the fault thereof within London, or iii. miles compass therof: shalbe brought to the Guildhall, praised by indifferent persons, and the value thereof divided into three parts, whereof the first seisor shall have one. the Chamber of London another, and the thirde shalbe distributed amongst poor people of the said citie & circuit, by the discretion of the Mayor & four Aldermen &c. And all leather, boots, shoes, & other wares insufficiently wrought, tanned, or curried which shalbe found in any other Citie, Towne or place, and seised as forfeited, shalbe brought to the common hall of such Citie &c. or to some convenient and open place appointed by the Lord or his deputie where no hall is, and there praised as is aforesaid, & one part shalbe distributed amongst the poor, and in other deedes of charitie in those parties by the discretion of the Mayor, Bailiffs, Lordes of liberties &c.

Wares in Lon-
don shalbe sold
in open place.

How the for-
feitures shalbe
employed.

Leather, Tanner, Currier, Shomaker.

¶ And y^e other part deliuered to y^e Maiors, Bailifes &c. to the vse of the communalty of such citie, borough &c. And where no such officers be, to the Lord of the libertie where such forsaiture shalbe committed, or seisure had. And the thirde part to the first seisor of such insufficient wares. 5. Cl. 8.

Making of
pelts.

32 ¶ It is not lawfull for any person to make any pelts, that is to say, to pulle, sheare, clippe or take away the wolle of any Sheepe skinne, or Labeskinne, or to buy any skinne of any Stagge, Hinde, Bucke, Doe, Goate, Falwne, or Kyd, or the pelts or skinnes of any of the, vnles such person do make or cause to be made therof talwed or vnlawfull tanned leather or parchment, or other wise conuert the same into Semites, Pannels, or other hys owne necessarye vles, vpon paine that euery person so making pelts or buying any of the pelts or skinnes aforesaid, shal forf. the value of all such pelts or skinnes so made and bought, & ii. s. vi. d. for euery skinne or pelt. 5. Cl. 22. 8. Cl. 14.

Transporting
leather, tallow,
or rawe hide.

Owners of
shippes.

Mariners.

33 ¶ It shal not be lawfull for any person to lade, ship, or carrie in any vessel or ship, or other wise, any leather, tallow, or rawe hides, of intent to transport the same into any place beyond the Seas, or into Scotland by lande or by seas, (other then Scottishe hydes to be brought to Berwicke. 5. Cl. 8.) vpon paine of the forsaiture of y^e said leather, tallowe, or rawe hides so laden or transported, & treble y^e value thereof, to be forf. by the owner or owners. And also y^e owners of y^e said shippes, or vessels, knowing of such offence, shal forsaite the said shippes, or vessels, withal their apparell & furniture to them belonging. And the Masters & Mariners, knowing of such offence, shal haue imprisonment by the space of one yere without baile or mainprise, & forsaite al their goods & cattels, to the D. & J. to bee rec. by. A. J. &c. wherein no W. &c. B. &c. But if any owner of anye such shippe or vessel, or any master or mariner, knowing any such transportation of leather, tallow, or rawe hides, do within thre moneths next after his knowlodge thereof, or after his returne into this realme, geue good information bona fide before any of the Barons of y^e Eschequer, or before the lord President or counsaile in y^e North, or in the Marches of Wales, or before the head officer of any port, where he shal first arrive vpon his othe, of the number & quantite of leather, tallow, & rawe hides so transported, & by whom, where, & in what ship or vessel, and afterward shalbe ready vpon reasonable warning by proces, to iustify & proue y^e same for y^e Quene, the such owner, master, or mariner shal not forsaite his ship, nor incurre the forsaitures aforesaid, 18. Cl. 8.

Buying leather
to transport by
y^e etc.

34 ¶ Every persō which hath the Quenes licence to carry over sea any tanned leather, may buy in open faire or market so much as
he

he shalbe licenced to transport, so that the said licence be shewed to the chief officer of the said faire or market, which officer shal writt upō the backside of the licence, how much leather the party licenced hath bought, & the day, time, & place of buying the same, by thereby it may appear how & when every such licence shalbe satisfied 5. Ed. 6. 15.

35 ¶ No person shal ship or cause to be shipped to the intent to transport over the sea, as marchādises to be sold or exchanged there, any shoes, bootes, buskins, startups, or slippers, upon paine to forfeit the same to the King & him that wil seise or sue for the same by A. J. &c. wherein no W. &c. C. D. &c. But this act shal not be prejudiciall to any person for transporting so much of the foresaid wares, unto the Isle of Man, as is necessary for the furniture of the Queens subjects there. 5. Ed. 6. 15.

Transportinge
of shoe
bootes &c.

36 ¶ If any person do buy or ingrosse any kind of tanned leather, to the intent to sell the same againe (except sadlers, girdlers, cordwainers, & other artificers, makinge wares of leather which may buy such kinde of tanned leather, as is necessary for their occupying to be wrought by them) he shal forfeit the same or the price thereof, But the foresaid artificers may sel their wombes, shreeces, & necks which they cannot occupy about their wares. 5. Ed. 6. 15. S. 12.

Engrossing of
tanned leather.

1 What subsidie or custome shalbe paid for leather transported. S. Custome 6. 7.

2 For the shipping and transporting of certeine leather S. Marchants 4.

¶ Limitation of prescription.

N^o person shal sue, haue, or maintain any writ of right, or make any prescription, title, or claime, to or for any manors, landes, tenements, rents, annuities, cōmons, pensions, portions, corodies, or other hereditaments, of the possession of his auncesto, or predecessor, and declare and alleage any further seisin or possession of his auncesto or predecessor, but onely of the seisin or possession of his auncesto or predecessor, which hath bene, or now is, or shalbe seyled of the said manors, landes &c. or other hereditamentes within thre score yerres next befoze the Teste of the same writ, or next befoze the said prescription, title, or claime, so sued, commenced, brought, made or had 32. H. 8. 2.

writ of right

60. yerres

2 ¶ No person shal sue, haue, or maintaine any Aūse of Mortdauncester, Colinage, Aiel, writ of Entre upon disseisin, done to any of his auncestors or predecessors, or any other action possessary, by or by possession of any of his auncestors or predecessors, for any manors, lands, tenementes, or other hereditamentes, of any further seisin or possession of his auncestour or predecessor, but onely of the seisin or possession

Actions possessary.

Limitation of Prescription.

possession of his auncestours or predecessors, which was, or hereafter shalbe seised of the same manors, lands, tenements or other hereditaments within fifty yerres next befoze the Teste of the original of the same writ brought &c. 32. H. 8. 2.

50. yerres.
His owne seiso

30. yerres

Quowrye

50. yerres

Formedon
Scire facias

50. yerres

Barre for de
fault of seison
within the time
of limitation

Attaine

Right of ad
uowson.
Quare impedit
Assise of dar
ran. p. tenement
iure patronatus

3 ¶ No person shall sue, haue, or maintaine any action for any manors, lands, tenements, or other hereditaments of, or vpon his owne seison or possession therein, aboue xxx. yerres next befoze the Teste of the original of the same writ brought &c. 32. H. 8. 2.

4 ¶ No person shall make any auowry or cognisance, for any rent, suit, or seruice, & alledge any seisin of any rent, suit, or seruice in the same auowry or cognisance, in the possession of his auncestours, or predecessors, or in his owne possession, or in his possession of any other whole estate he shall pretende or claime to haue, aboue fiftye yerres next befoze the making of the sayd auowry or cognisance 32. H. 8. 2.

5 ¶ All Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines, of any manors, lands, tenements, or other hereditaments, shalbe sued & taken wthin fifty yerres next after the title & cause of action fallen, & at no time after the said fifty yerres passed 32. H. 8. 2.

6 ¶ If any person at any time do sue any of the said actions or writs of any manors, lands, tenements, or other hereditaments, or make any auowry, confisance, prescription, title, or claime, of, or for any rent, suit, seruice, or other hereditaments, & cannot proue that he or his auncestours, or predecessors, were in actual possession or seison of & in the same, at any time within the yerres befoze limited, & in maner & forme as is aforesaid, if the same be traucrsed or denied by the pleintife, demaundant, or auowant, or by the tennaunt or defendant: Then, & after such trial therein had, euery such person and his heires, shal from hencefozth be vtterly barred for euer, of al & euery the said writs, actions, auowries, cognisances, prescriptions, title and claime hereafter to be sued, had or made, of & for the same manors, lands &c. or other the premises, or any part of the same, for the which the same action, writ, auowry, cognisance, prescription, title or claime shalbe at any time had, sued, or made. But if any false verdict be geuen in any of the said actions, suits, auowries, prescriptions, titles or claines, the party greued by the same, shal & may haue his attaint vpon the same, & his recovery, execution, & other aduantages therein in like maner & forme, as heretofore hath bene accustomed 32. H. 8. 2.

7 ¶ But this former act, or any matter therein contayned doth not extēd to any writ of right of aduowson, Quare impedit, or Assise of darrein p. tētmēt, nor iure patronat⁹, nor to any writ of right of ward, writ of ranshmet of ward, for the wardship of the body, or for the wardship

wardship of \bar{y} lands, tenements, or hereditaments holden by knights service, nor to the seisor of the wardship of \bar{y} body of any warde, nor to the seisor of wardship of any lands &c. holden by knights service. But every person, body politique and corporate, their heirs & successors, shall and may have and pursue al & singuler the sayd writts of right of aduowson. Quare impedit. Assise of darreine presentment, Iure patronatus, writts of right of warde, Ravishment of warde, and also seise the wardship both of the body & of the lands &c. holden by knights service in like maner, to al intents, as they or any of the should or might have done befoze the making of the said acte of 32. H.8. An. 1. Parl. 5.

¶ Linnen cloth.

If any person, English or Stranger, Denizen or Alien, doth put to sale any whole peece or halfe peece of linnen cloth called Douglas or Lockerum, vnles there bee mencion expessed bypon every of the said whole peece, or halfe peece so put to sale, the whole number of the yardes or elles that is contained in the sayde whole peece, or halfe peece, he shall forfait the sayd whole peece or halfe peece to the Quene & him that wil seise, & sue for \bar{y} same by Action, Informacion &c. or other wise, wherein no wager &c. C. 4c. 28, H.8.4.

The contents of Douglas and Lockerum.

2 ¶ If any person do wittingly cast or cause to be cast any peece of linnen cloth ouer a beame or peece of timber, & doth by any deuise racke, stretch and drawe the same of length and breadth, and then doth with battledors, peeces of timber of wood, beat \bar{y} same, and cast thereupon any deceitful licoys mingled with Choke or other lyke thinges, or doth wittingly vse, or cause to be vled any other acte or meane, to, in, or with, any kinde of linnen cloth, whereby the same is discreiptful or worse, to, or for \bar{y} good vse therof, then he shall forfait his said cloth to the Quene & J. & suffer one monethes imprisonment at the least, & pay such fine as shall be assessed by the Justices befoze whom he shall be condempned. 1. Cl. 12. S. Iustices of peace. 61.

Stretching or impaying of linnen cloth.

¶ Liuerie & Ouster le maine.

The Quene shall haue primer seison after \bar{y} death of those which hold of her in chiefe, of al the lands and tenements wherof they were seised in their demean as of fee, of what age soeuer their heirs be by taking the issues of the same lands vntil inquisition be made, as the custome is, and that shee hath receyued the homage of such heirs Prærogatiua Regis. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

The Quene shall haue primer seison.

2 ¶ When any person which holdeth of the Q. in Capite doth die, & his heire doth enter into the lād that his auncester held of the Quene the day of hys death, befoze hee hath done homage to her grace

An heire entering into lands holdē of the Q. without livery.

Liuary & Ouster le maine.

grace, and receiued of her seisin, he shall thereby gaine no fræholde, & if he die seised during that time, his wife shall not be edowed of þe same land. But this is not ment of Socage & small tenures. *Prærog. R. 17. Ed. 2. 13.*

The heire of full age found with in age.

3 ¶ If it be found for the Quæene &c. that the heire of her tenant is wñ age, where in deede such heire is at the same time of full age or of a moze or greater age then is contained within such office: In euery such case such heire shall & may at his very full age, or after prosecute a writ of Estate probada. And sue his liuary or ouster le main as his case shall lie, & haue þe profits of his lands &c. frō þe time of his very full age, any such vñtrue office, or any lawe or custome notwithstanding. 2. *Ed. 6. 8.*

Livories be in the order of the court of wards.

4 ¶ All liuries to be sued out of the Quæenes hands, her heires & successors, of any lands, tenements, rêts, reuerſions, remainders, or other hereditaments whatsoever, be in the order, suruey, & gouernance of the court of wards & liuries, & of þe ministers of the same. And þe master, surueior, atturney, & general receiuer of þe said court, or thre of the (whereof the master or surueior to be one) haue authoritie, after offices & inquisitions found, to covenant & indent with euery person for his liuary of the lands, tenements, & hereditaments, comprised or not comprised in such offices, & to set, & rate the price for þe same, & to appoint þe daies of payment thereof, by obligation or obligations taken for the same to the Quæene, which obligations so made & euery of them, be good & effectual in lawe & of like strength, as writings obligatoiy made by any lay person, by authoritie of þe statute of the Staple, been or ought to be. And all and singular billes for any special or general liurie to be sued, assigned by the handes of the sayd master, surueior, atturney, receiuer, or thre of them, whereof the master or surueior to be one, is a good and sufficient warrant to the Chauncelloi of England, and of the Duchy of Lancaster, and al other Chauncellours & officers hauing power to passe liuries vnder any of the Quæenes seales, for the makinge out, sealing and deliury of any liuries according to the purpozt and effect of such billes with other clauses of course necessarie for the same. 33. *H. 8. 22.*

Warrant to passe liuries.

No liurie of lands to the pze-ty value of b. li. before office.

Warrant for writ to finde offices.

5 ¶ No person hauing landes or tenements aboue the pze-ty value of b. li. shall haue or sue any liurie before office found before the Eschetoi or other commissioner &c. by vertue of the Quæenes writ or commission &c. directed out of the Chancery or any other courts &c. which writs or commissions shall not passe out of þe Chancery or any other courts hauinge authoristy to make such writs or commissions, but by a warrant or bill assigned & subscribed with the handes and names

names of the master, Surueioꝝ, Atturney, & Receiueꝝ of the court of wardes and Liueries, oꝝ thre, two, oꝝ one of the, to be directed & deliuered to the Chawncellour of England, oꝝ to any other Chauncelloꝝ oꝝ officer, hauing power to a ward such writs 33. H. 8. 22.

6 ¶ But every heire which is in case to sue Liuerie, where hys lands & tenemēts excēde not the yerely value of v. li. shall lawfully sue foꝝth his general liuerie by warrāt made frō the court of wardes & liueries, although there be no other inquisition therof had noꝝ certified, & shal pay y^e fees of every such liuerie as be hereafter expꝛessed foꝝ the fees of a general liuerie not excēding y^e yerely value of v. li. as though the same liuerie were made & sued foꝝth vpon an office found by vertue of the Quēnes writ 33. H. 8. 22.

General liuerie without inquisition.

7 ¶ Every person may sue at his pleasure a general liuerie after office thereof by writ oꝝ commission found, returned & certified foꝝ any manors, landes, tenements, rentes, reuerſions, remainders, oꝝ other hereditamentes, whereof the clere yerely value doth not excēd xx. li. the value of which lands &c. shalbe taken as is limited in the offices found thereof (except by the examination & certificat of the said master, surueioꝝ, atturney, & receiueꝝ generall, oꝝ thre of them) it shall otherwise appeare & be declared in any of y^e Quēnes courts. But no such liuerie shalbe sued oꝝ passe without a bil oꝝ warrant first obtayned foꝝ the same frō y^e said master, atturney, receiueꝝ, oꝝ thre of them &c. as is afoꝝesaid 33. H. 8. 22.

A general liuerie of lands not exceeding xx. li.

8 ¶ If the lands, tenements, oꝝ hereditamentes, whereof a general liuerie may be sued by this act, excēde the clere yerely value of v. li. then such as shal sue and haue such generall liuerie, shall pay foꝝ y^e seale therof xx. s. iiii. d. & al other such fees as heretofore in such cases haue ben accustomed vpon y^e suing of any general liueries. And if y^e lands, tenemēts &c. whereof any such general liuerie shalbe sued, excēde not the clere value of v. li. the euery person suing foꝝ any general liuerie, shall pay foꝝ the seale of euery such liuerie xii. d. & to the Clerkes of the petit bagge foꝝ the writting & enrolling thereof xx. d. & foꝝ respite of homage in the Banaper viii. d. and to y^e Loꝝde great Chamberlein xx. d. & to the clerke of the liueries foꝝ the warrant & enrolling of the liuerie xx. d. & to the Master of the rolles xx. d. & none other fees 33. H. 8. 22.

The fees of a general liuerie

9 ¶ Every person to whom the Quēne shal graunt any liuerie, to be sued vpon his bill assigned thereof with the Quēnes hande, oꝝ with the hands of y^e officers of her court of wardes & liueries, shal sue foꝝth his patent withiñ iiii. monethes next after the assignement of the said bil, oꝝ else the same bill & the effect thereof shalbe voyde. 33. H. 8. 22.

Within what time a liuerie shalbe sued foꝝth.

10 ¶ Every warde hauing his liuerie, shall withiñ vi. monethes

Liueries shal be introyled, next

Liuerie & Ouster le maine.

next after the liuery had, bring þ same to þ Auditoꝝ of the court of wards &c. oꝝ to one of them, to haue the same there inrolled foꝝ the discharge of the lands against the Quene, according to the tenour of the said liuere, & shal pay foꝝ the inrolment therof such reasonable summe of money as shalbe appointed by the maister of the wardes &c. so þ it excēde not r. s. 32. l. 8. 46.

where the olo:
ners shal haue
his lands with
the issues.

11 ¶ If the Eschetour oꝝ Sherife do seyse any landes into the Quenes hands where there is no cause of seisure, & after the same lands be deliuered out of the Quenes hands foꝝ the same cause, the issues also shalbe fully restozed to him who hath the lande, & which hath sustained the losse. Artic' super chart' 28. Ed 1. 19.

Amoueas manū
cum exitibus

12 ¶ If by Enquestes taken by Eschetozs by any writs sued out of the Chauncery and returned, it be founde that nothing is holden of the Quene, whereby she ought to haue the ward of such lands by reason of the enquestes taken by her Eschetozs, immediatly the Eschetozs shalbe commaunded by the Quenes writ directed out of the Chauncery to deliuer their hands & put from them al the lands and tenements so seised into þ Quenes possessiō. And if they haue taken any profits of such lands &c. they shal make ful restitution to him oꝝ them foꝝ whom it was found by enquestes, that such landes ought to remaine from þ time that such lands fel into the Quenes handes. But if after the Eschetozs haue discharged their handes by force of the Quenes writte, any thinge happen to be founde in the Chauncery, Eschequer, oꝝ any other of the Quenes courts wherby the wardship of such lands whereof the Eschetozs haue discharged their hands, shoulde belong vnto the Quene immediatly, he in whose hands such lands shal happen to be, shalbe summoned, to bee befoze the Quene at a certain day whersoever &c. to shew if he can say any thing wherefoze the Quene ought not to haue the wardshippe of such landes, accordinge to the fourme of the euidences, oꝝ remembzaunces found foꝝ her. And if he come in and shew why the ward of such landes doth not, oꝝ ought not to belonge vnto the Quene, but that it ought to remaine to him selfe, he shal go quite, & retaine the wardship, But if the party warned doth not come, oꝝ doth come and can say nothing, why the Quene shoulde not haue the wardship immediatly, the lands shalbe resealed into the Quens hands by reason of wardship, to be kept vntil the full age of þ heire of þ same. And if it be found by þ Enquestes taken by the Eschetozs and returned, that the Custody of the same lands, cōteined in þ inquisition and seised in the Quenes handes, ought not to remayne vnto the Quene, the Eschetoz, shalbe commaunded forthwith to discharge his hands thereof, and to restoze the whole issues. And in like soꝝt if it be found by Euidence and remembzaunces in þ Chancerie,

Releifer.

erie, Eschequer, or other wise, that the Quene ought to haue þe cutt
tody of them, her Maiestie shalbe answered the whole issues there-
of at their hands which helde the same landes from the time they
were first taken into the Quenes handes by the Eschetors by the
foresaid wittes 29. Ed. 1. Sta. de Eschaetoribus.

13 ¶ If an Eschetor or other minister hath seised to þe Quenes Auncient rates
vse, any Cities, boroughs, to wnes, manors, hundredes, franchises,
milles, herbage, tolle, plees, and perquisits of courts, or other landes,
or tenements, whereof profit riseth from time to time thzough the
yeare, and after hath made livery thereof to the heire by þe Quenes
commaundement out of the Chauncery befoze the terme of paymēt
is come, yet he shalbe charged to answer the Quene for the rate
and porcion of the time, according to the auncient course of the Es-
chequer. But auncient farmes & rents which be to be payed at cer-
taine termes, as rent seche, and rent service, whereof no profit ry-
seth vntil the day of payment, shalbe paid to them which haue ly-
uery out of the Quenes handes at the day of payment of the same
farmes & rent which do ensue such livery 28. Ed. 3. 4. S. Eschetors,
Office, Trauerse, Wardes.

¶ Liueries & Retainers.

1 ¶ If any person shal geue any Chaperons, Hattes, or such like liue- Gearing of liue-
ries for main-
tenance.
ries to any man, for maintenaince of quarels or other confede-
rancies, he shal forsaite C. s. for enery such livery. And he which recei-
ueth such livery shal forsaite xl. s. 1. R. 2. 7. 7. H. 4. 14. 13. H. 4. 3.
8. H. 6. 4. 8. Ed. 4. 2.

2 ¶ If any person of his owne auctoritey and proper cosses, do Wearing of li-
ueries for
maintenance
buy or weare for his clothing any clothes or hattes called liueries of
the sort or suit of any Lord, Lady, Knight, Esquire, or other person
to haue suppoztation, succour, or maintenance in any quarel, or in a-
ny other manner, & be thereof lawfully convict, he shal forsaite xl. s. &
be one yere imprisoned. 8. H. 6. 4. 8. E. 4. 2.

3 ¶ If any which is a Knight or Esquire mental of þe Quens, Wearing the
Quenes li-
uerie.
or which is of her retinue, to whom her Maiestie shall geue her ho-
norable livery, do weare his sayd livery in the countrey or countie,
where he is resident or dwellinge, or in any other place of the realme
out of the Quenes presence. (saving in going or coming from þe
Quenes house) & is therof duly attainted, he shal lose his livery, &
forsaite his fees for ever 1. H. 4. 7.

4 ¶ No congregation or company shall make any company of Companies
cloth, or of hattes, at their owne cosses, vpon paine that enery one of
the same congregation or company shal for. xl. s. (except guildes &
fraternities, and also people of artes & sciences, within cities & bo-
roughes,

Liveries & Retainers.

roughes, which be ordeined to a good intent) 7. H. 4. 14.

Serving or taking of liveries or badges, and retaining.

In what courts the Informer may prosecute his suit.

5 ¶ No person by him selfe or any other for him, shal geue any livery or badge, or retaine any person other then his menial seruāt, officer, or learned man in the one law or in the other, by any writing, othe, or promise. And if any do the contrary he shal forfeit. for every such livery or badge given C. s. And he which doth retaine or take of an other such oth, writing, or promise, or retaineth by Indenture, shal forfeit. C. s. for every moneth that any person is so retained with him by oth, writing, indenture, or promise. And every person which is retained by writing, indenture, othe, or promise, for every moneth that he is so retained shal forfeit. C. s. to the M. & J. And every person that wil sue against any other for any offence committed contrary to this Statut, or any other of the premisses before the Quenes Justices in her bench, before the Justices of the common pleas, Justices of peace in their Sessions, Justices of Oyer & terminer, & gaole delivery, Justices of the Countie Palantine of Lancaster & Chester, & in the court of Herehamshire, & in the Court of the Bishop of Durham in the countie palantine of Durham, shalbe admitted thereunto by the discretion of the same Judges, to geue information for the Quene of any of the premisses committed within the iurisdiction of the same courts. And every Informer shalbe admitted to sue for the Quene and him selfe, action or actions upon the same by information in any of the said Courts, against as many such offenders in one byll or information as liketh him, which information shalbe in steade of a byll or originall writte, wherein such Proces shalbe awarded as in an originall writte of Trespas against the peace (but that in the counties Palantine of Lancaster and Chester, nor in Duresme, nor Crigent shalbe awarded upon any information, suit, or proces, to be made by force of this ordinance, and if any be, or any writte thereupon pronounced, the same shalbe voyd without any writ of Error.) And if any of the offenders be present in any of the said courts, any of the Justices may commaund him to be brought to answer to such bill, upon such information (by an othe first to be taken upon a booke by such informer, before some one of the Judges, that his complaint is true (wout any other or further Proces therein. And every of the same Judges within his iurisdiction may by his discretion examine every of the defendants upon such information, and iudge him convict aswell by examination as by trial. And the M. shal have the one halfe of the forfeiture (if it be not in a Citty or Towne corporate, & hath the same by the Quenes se. grant) and the Informer & other halfe, which also shal recover his costes by the Judges discretion, & execution thereof, as in recoveries upon debt or trespass, wherein no C. 13. c. 8. Ed. 4. 2.

6 ¶ But this act extendeth not to any gift, graunt, or confirmation made of any fee, annuities, pension, rent, landes, or tenements by the Quene or any others, to any other person or persones for their counsel given or to be given, or for their lawfull service done or to be done (if for no unlawful cause) although the person to whom such gift, graunt, or confirmation is made, be not learned in the one lawe or the other. Neyther doth it extende to any livery given at the kinges or Quenes Coronation, or at the instaument of an Archbishop or Bishop, or erection, creation, or marriage of any Lord or Lady of estate, or at any creation of any Knightes of the Bathe, or at the commencement of any Clerke in any Uniuersity, or at the creation of Sericants of the lawe, or given by any fraternitie, guild, or misterie corporate, or by the Mayor, Shirefe, or other chiefe officer of any Citie, Borough, towne, or Port of this realme of England for the time being, during that time for the executynge of their office or occupation. Nor to any liveries or badges given in the desce of y^e Quene, and of this her realme. Nor to the Constable or Marshal, for giving any badge, livery, or token, for any feates of armes to be done within this realme. Nor to any Wardens of y^e Marches to wards Scotland for any livery, badge, or token by the given from Trent Northward, at such time only as shalbe necessarie to levy people for the defence of the Marches. 1. H. 4. 7. 8. Edward. 4. 2.

At what time, & by who giving of liveries is lawfull.

1 What Issues shalbe returned vpon any person in an Information sued vpon the statute made against geuing of Liveries. S. Returne of Sherifes. 11.

¶ Maynprife & Bayle.

Nor person shalbe let to bayle or maynpryse, which is committed, transported, or prysed for bringing, deliuering, sending, receiuing, or taking, or procuring to be brought, sent &c. into any ship or bottom, any sheepe being alive, to be conueyed out of anye of the Quenes dominions. 8. El. 3. S. Sheepe 1.

Transporting of Sheepe.

2 ¶ Nor any maker, or worker of Hats, which is committed to prison, for taking aboue 15. apprentices at one time, or for taking any of those for any lesse time the by. yerres. 8. El. 11. S. Hattes. 6.

Hatter.

3 ¶ Nor any servant, bayliffe, chamberleine, or receiuer accepta- ble, which vpon his accompt befoze Auditors is found in arrearages committed to the gaole. 13. Ed. 1. 11. S. Accompt. 2.

Accomptant.

4 ¶ Nor any servant committed to prison for departing from his master to who he was retained befoze y^e end of his terme, or for departing at the end of his terme without one quarters warnynge given befoze, or for refusing to serue for the wages rated, according to the

Servant.

CC. 15.

to the

Maynprise & Bayle.

Artificer.
Laborer.

to the statut being thereunto requested, oꝛ foꝛ not serving to where he promised oꝛ covenanted to serue. 5. Cl. 4. S. Laborer. 6.

5 ¶ Foꝛ any Artificer, oꝛ Laborer, which is imprisoned foꝛ departing from any peece of woꝛke which he hath taken in great, in taske, oꝛ in grosse, to finishe: befoꝛe he hath ended the same, without licence of the master of the woꝛke, oꝛ of him that hath charge therof, except his wages be withheldē, oꝛ he appointed to serue ꝑ Quene. 5. Cl. 4. S. Laborers. 10.

Geners oꝛ receivers of wages not allowed

6 ¶ Foꝛ he which is imprisoned foꝛ geuing oꝛ receiuing moze wages then is assessed in a proclamatio made foꝛ that purpose in ꝑ county, city, borough, &c. where he dwelleth. 5. Cl. 4. S. Laborers. 4.

Forging of
deedes.

7 ¶ Foꝛ he which is committed to prison foꝛ false forging oꝛ wittingly assenting, oꝛ causing to be forged oꝛ made, any false dede, charter, oꝛ writting sealed, court rolle, oꝛ ꝑ wil of any persō in writting, to the intent &c. oꝛ any obligation, bil obligatoꝛy, acquittance, release, oꝛ other discharge of any debt, accompt, action, suit, demaund, oꝛ other thing personal, oꝛ foꝛ that he did pronounce, publish, oꝛ geue in euidence any such false oꝛ forged charter &c. as trewe, knowing ꝑ same to be false & forged. 5. Cl. 14. S. Forger of deedes. 1. 2.

Arrestments at
an unknown
mans suit.

8 ¶ Foꝛ he which doth maliciously, oꝛ foꝛ veration procure any other person to bee arrested oꝛ attached to answer in the hynges Bench, Marshalse, oꝛ in any court wthin London (oꝛ other place where any liberties is to hold plee in any action personal) at the suit, oꝛ in ꝑ name of any person, where there is no such person knowē, oꝛ without the assent of such person, at whose suit, oꝛ in whose name &c. & is thereof convict oꝛ lawfully accused &c. & committed to prison foꝛ vi. moneths &c. 8. Cl. 2. S. Damages. 1. 2. 3.

Alehouse.

9 ¶ Foꝛ he which is committed to prison foꝛ. iij. daies, foꝛ keeping of an Alehouse being not allowed, oꝛ beinge forbidden by two Justices of peace. 5. Ed. 6. 2. 5. S. Alehouses. 2.

Aliens.

10 ¶ Foꝛ he which is committed to prison foꝛ that he being an Alien boꝛne, and not denizen conueyeth into anye partes out of the Quenes obediēce any long Bowes, Arrowes, oꝛ Shafte, without the Quenes licence, vntill he hath made fine to the Quene, by the discretion of the Justices of peace in their Sessions. 33. H. 8. 9. S. Aliens. 2.

Apparel.

11 ¶ Foꝛ he which is committed to prison foꝛ wearing any like, contrary to the statute in that case provided, vntill he hath paid the foꝛ. whercof he is convicted. 1. & 2. H. 8. 2. S. Apparel. 17.

Attaint.

12 ¶ Foꝛ anye petit Jurie in London which is attainted by the verdict of a graund Jurie, and therfoꝛe committed to prison, oꝛ which hath receiued any money, reward, oꝛ promise thercof, of the defendant in the attaint, foꝛ the intent of geuing his verdict where
vpon

upon the Attaint is grounded, nor the defendant in the said attaint which doth give or promise the said money or reward, & is therfore committed to prison 11. H. 7. 21. S. Attaint. 16. 17.

13 ¶ For any Collector or Surveior of any decayed bridge, ^{Collectors.} which is committed to prison for refusing to accompt to the Justy, ^{Surveiors of} ces of peace, of the receiptes and payments of money by him recei- ^{bridges} ned toward the repaire of the said bridge, untill hee hath truly ac- counted. 22. H. 8. 5. S. Bridges 4.

14 ¶ For the mother or reputed father of any Bastard begot- ^{Father or mo-} ten and bozne out of lawfull matrimony, committed to prison for ^{ther of a bas-} not performing an order made by two Justices of peace for the hee- ^{card.} ping of such bastard child (except he or she shal put in sufficient sur- tie for perfozmance of the said order, or personallye appeare at the next generall Sessions in the shire where such order shalbe taken, & to abide such order as the sayd Justices there shal take) 18. El. 3. S. Bastardy 1.

15 ¶ For any Souldier committed to prison for makinge away ^{Souldier.} any horse or harnes where with he shalbe set forth, untill he hath sa- tisfied the owner thereof 2. Ed. 6. 2. S. Captaines 1.

16 ¶ For any persn which is committed to prison for any office ^{prophecies} by him committed contrary to the statute provided against sonde & phantastical prophecies. 5. El. 15. S. Prophecies. 1.

17 ¶ For he which is committed to prison for being convicted of ^{Musters.} any offence by him committed contrary to the statut made for t- taking of Musters, untill he hath paid the foresaitures in the said statute specified. 4. & 5. P. & M. 3. S. Captaines 12. Justice of peace 26.

18 ¶ For he which is committed to prison for a whole yeare ^{witchcraft} for using any Witchcraft, Enchantment, Charme, or Sozcery, or for being counselling or ayding thereunto contrary to the statute in that case provided 5. El. 16. S. Coniuration. 3. 4.

19 ¶ For any Master, or Mariner of any ship, crayer, or ves- ^{Transporting of} sel which is committed to prison, for transporting beyond the sea, or ^{coyne, vittails} into Scotland, any Cozne, Salt, Beere, Butter, Cheese, Herringe, or wood without lawfull aucthority, or for conveyinge by boate &c. any of the foresaid thinges to any ship on the sea, or within any ha- ven to be transported &c. nor any mā which having licence to trans- port the foresaid thinges, doth transport more then is contained in his licence. 1. & 2. P. & M. 5. S. Corne. 1. 2. 3.

20 ¶ For the Master or Mariner of any ship committed to pri- ^{Transporting of} son for lading, shipping, or carrying in any shippe or otherwise ante ^{leather callow,} Leather, Tallow or Rawe hides, of intent to transport the same be- ^{& rawe hides} yond the seas, or into Scotlande, if the said Master or Mariner doe know of the said offence. 18. El. 8. S. Leather. 33.

Mainprise & Baile.

Tythes.

21 ¶ For he which is committed to prison by two Justices of peace, for refusing to pay his tythes, or duties, or any sume of money wherein he is condemned for the same after definitive judgement given against him by the Ordinary, until he be bound with sufficient sureties to the Quenes vse to performe the sayd sentence. 27. H. 8. 20. 32. H. 8. 7. S. Tythes, 22.

Excommunicate.

22 ¶ For he which shall yeld his body to the Sheriffe or other officer upon any writ of Capias awarded according to the stat provided for the due execution of the writ, De Excommunicato capiendo 5. Cl. 23. S. Excommunication 1.

Unlawful taking of fish, Deare, Hawkes.

23 ¶ For he which is committed to prison for committing any offence prohibited by the statut provided 5. Cl. for the punishment of unlawful taking of fish, Deare, or Hawkes, until he hath found sufficient suretie for his good abearing for the space of vij. yeres after the offence committed. 5. Cl. 21. S. Fish 7. Forests, 3. Hawkes, 1.

Eating of flesh

24 ¶ For he which is committed to sit. moneths imprisonment for eating flesh upon any day usually observed a fish day, or upon any Wednesday newly limited to be observed as a fish day. 5. Cl. 5. S. Fish days, 1.

Collector and Suruey for Gaole.

25 ¶ For any Collector or suruey, appointed for the making of gaoles in certeine shires, committed to prison by the Justices of peace, for refusing to make accompt, or to pay such money as shall come to their hands for the vse, until they have accompted & paid all the said money. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25. S. Prisons, 2.

Newes.

26 ¶ For any person committed to prison for six monethes or three monethes, for speaking, or reporting any false, seditious, and slanderous newes, rumours, sayings, or tales against our souerayne Lady the Quenes Maestie that now is. 23. Elizab. 2. S. Newes, 3. 4.

Knight for the Parliament

27 ¶ For the Sheriffe of any Countie committed to prison for one whole yeare, for doing any thing contrary to any statut made in, or before 23. H. 6. concerning the election & returning of Knights, Citizens, and Burgeses to come to the Parliament. 23. H. 6. 15. S. Parliament 4.

Perjury

28 ¶ For he which is committed to prison for vij. monethes for committing wilfull perurie, or he which doth procure any witness to commit wilfull perurie, and therefore doth forfeit xl. li. & hath not landes, goods, or cattals, to the value of the said xl. li. and is therefore committed to vij. monethes imprisonment. 5. Eliz. 9. 14. Cl. 11. S. Perurie 1. 2.

Whistons in London.

29 ¶ For he which is committed to prison by the President of the Colledge of the facultie of Whisicke in London, or by such as the said President and Colledge shal authorize to search and punish offenders

offendoꝝs foꝝ any offence oꝝ disobedience by him committed, con-
trarie to the statute in that case provided, vntill he bee discharged of
his imprisonment by the said President, and the persons authoꝝi-
sed. I. P. 9. S. Phisitions. 4.

30 ¶ Foꝝ hee which is committed to pꝛyson by any Justice of peace, Maior, Bayliffe, Sheriffe, oꝝ other head Offyꝛer &c. foꝝ keeping any house, alley, oꝝ place of vnlawfull games, oꝝ foꝝ haun-
ting, resoꝛtyng, and playing there, vntill hee bee bounde to the
Quenes vse in such summe, as to the foꝛelayde offyꝛers shalbee
thought reasonable, no longer to keepe oꝝ vse the sayd games. 33. H
8. 9. S. Playes. 5.

31 ¶ Foꝝ any Collectoꝝ foꝝ the reliefe of the poꝛe, which shall refuse to make his accompt, oꝝ shall neglect the same by the space
of xiiii. daies after request to him theresoꝛe made, shalbee theresoꝛe
committed to pꝛyson, and shal there remaine vntil he hath accompt-
ed and payed all surpluses which he hath receiued, 14. El. 15. S.
Poore people. 6.

32 ¶ Foꝝ any Collectoꝝ oꝝ Gouernoꝝ of the poꝛe, oꝝ Censoꝝ, Warden, oꝝ Collectoꝝ foꝝ any of the houses of coꝛrection, commit-
ted to pꝛyson, foꝝ refusing to make accoꝛpt of such money as he hath
receiued to the vles afoꝛelayde, oꝝ foꝝ neglecting the same accompt
within xiiii. daies after request to him made, oꝝ foꝝ not paying wim
one weeke after his accompt the whole arrearages which hee shalbe
found in &c. vntill he hath made his accompt and paid the said arre-
rages. 18. El. 3. S. Poore people. 26.

33 ¶ Foꝝ hee whych is committed to pꝛyson foꝝ disturbing oꝝ
misusing any Preacher in the time of his Sermon, being lawfully
authoꝝised to pꝛeache, oꝝ foꝝ rescuing, oꝝ disturbing y^e arrest of such
offendoꝝ. I. P. 3. S. Preachers. 1. 2.

34 ¶ Foꝝ the Chatour, oꝝ other Officer of any noble man, oꝝ Chatour,
other, committed to pꝛiso foꝝ taking of any vitayles, coꝛne, oꝝ other
thing, of any of the Quenes liege people against their willes, vntil
they haue redeliuered the same, oꝝ the very value thereof. 23. H. 6. 14
S. Purceiours. 1.

35 ¶ Foꝝ any Purueyoꝝ, Taker, Badger, oꝝ other minister of the Quenes, noꝝ any other common Deulter, committed to iii.
moneths imprisonment foꝝ taking oꝝ bargaining foꝝ any vitayle, oꝝ
graine in either of the markets oꝝ towne of Cambridge oꝝ Oxfoꝛd,
oꝝ wim five miles thereof, wout the licence of eyther of the Cham-
celoꝝs, oꝝ Vice Chaunceloꝝs of the said vniuersities where &c. in wri-
ting obtained vnder the seale of the office. 2. 7. 3. P. 15. 13. El.
21. S. Purueiours. 32.

36 ¶ Foꝝ he which is comitted to pꝛison foꝝ any redifsey sin by
him

Maynprife & Bayle.

him done, shalbe bailed oꝝ replemied by a cōmon writt &c. *Ed. 2. 13. Ed. 1. 26. S. Redisseisin. 3.*

Sacraments & seruces.

37 ¶ *Pro* any person committed to bi. moneths, xij. moneths, oꝝ perpetual imprisonment foꝝ committing any of the offices prohibited by the statute provided. 1. *Cl. foꝝ the vniformitie of commō praier and seruce in the church, and the administration of the sacraments. 1. Cl. 2. S. Sacraments. 2.*

Vagabonds.

38 ¶ *Pro* any vagabond committed to pꝛisō by the Justices of peace of the same shire, oꝝ by the head officer of any Citie oꝝ towne coꝝporate where he shalbe apprehended, vntil h̄ next Sessions of h̄ peace, oꝝ general gaole deliuerie of the same Countie, Citie &c. 14. *Cl. 5. S. Vagabondes. 2.*

Counterfeiting of weigthes.

39 ¶ *Pro* he which is cōmitted to pꝛison foꝝ falsifying oꝝ counterfeiting of any false weigthes, vntill hee hath made fine according to h̄ discretion of the Justices of peace. 9. *H. 5. 8. S. VVeightis. 13.*

Taking away of maides.

40 ¶ *Pro* any person aboue the age of xiiij. yeaꝛes committed to two yeaꝛes imprisonment, foꝝ conueying, oꝝ causing to be conueied any maide oꝝ woman childe vnmarried within the age of xvi. yeaꝛes, out of the poss. & against the wil of h̄ father oꝝ mother, oꝝ such person as shal haue the gouernance of such maide &c. other thē such of whom theē shal holde any landes by knights seruiſe. 4. & 5 *P. & P. 8. S. VVomen. 6. 7.*

Deflowꝛing oꝝ cōtracting matrimony with a maide.

41 ¶ *Pro* any person aboue h̄ age of xiiij. yeaꝛes cōmitted to fine yeaꝛes imprisonment, foꝝ taking away & deflowꝛing, oꝝ foꝝ contracting matrimony w̄ any maide oꝝ woman childe vnmarried, vnder h̄ age of xvi. yeaꝛes against the wil oꝝ vnknowing of h̄ father, mother, oꝝ such as shal haue h̄ gouernance of her, except the cōtract be made by the consent of her Gardein. 4. & 5. *P. & P. 8. S. VVomen. 8.*

Escarthal of the kings bench.

42 ¶ *Pro* any person which hath remoued his indictment of felony into h̄ kings Bench, oꝝ is there appealed of felony, shalbe let to baile by the Marshal of the kings Bench. 5. *Ed. 2. 8.*

Condemnation.

43 ¶ *Pro* he which is condemned in any of h̄ Quēenes courts & by vertue thereof is cōmitted to pꝛison, there to remaine vntil hee hath agreed with the plaintife, at whose suit he was cōdemned. 1. *R. 2. 12. 2. H. 5. 2. S. Escape. 3.*

Gaugeour, Wacker, Searcher.

44 ¶ *Pro* any Gaugeour, Wacker oꝝ searcher of Fish which is cōmitted to pꝛison foꝝ that he taketh moꝛe foꝝ gauging, packing, oꝝ searching then he ought to do. 11. *H. 7. 23. S. Fish. 12.*

Fraudulene deedes.

45 ¶ *Pro* he which is committed to pꝛison foꝝ being party to any fained oꝝ fraudulent scoffement, gift, bond, suit &c. oꝝ knowyng therof, shal willingly put in tꝛe oꝝ defend h̄ same as true & simple, oꝝ shal assigne h̄ lands, leases, oꝝ goods to him conueied. 13. *Cl. 5. 14. Cl. 11. S. Fraudulent deedes. 2.*

46 ¶ For any Forstaller, Kegratoz, or engrosser being cōdict Forstaller, Kegratoz, engrosser or attainted by y^e law, which for his first offence shalbe imprisoned two moneths, for his second, halfe a yere, & for the thirde, during the Q. pleasure. 5. Ed. 6. 14. 13. Cl. 25. S. Forstallers. 4.

47 ¶ For he which is cōmitted to prisō for one yere at y^e least Riots. for any great and heynous riot by him & others done. 2. H. 5. 8. S. Riots. 11.

48 ¶ For any persons being above y^e number of two, and under unlawful assemblies. xij. cōmitted to prisō for one yere for y^e they assembled together, & did intend, practice &c. with force of armes &c. to murther any y^e Q. subjects, or to breake downe &c. y^e pales, hedge, ditches, walle, or other closure of any parke or other ground enclosed, or y^e bank of any fish pond or poole, to the intent y^e same should remaine open, or to do any other unlawful act prohibited by y^e stat made An. 1. H. 5. & being required by a Justice of peace or sherife of y^e same countie, or by y^e Maior &c. or chiefe officer of y^e city or towne corporate, to returne to their habitations, do not, but attempt to put in bre any of y^e sayd things. 1. H. 12. 1. Cl. 16. S. Riots. 20.

49 ¶ For any person committed to prisō for thre monethes, for y^e he being spoken vnto, or moued to make any cōmotion, insurrection, or unlawful assēblie for any intēt prohibited (by y^e stat. made 1. H. 5. against unlawful assēblies) did not win 24. howers after hee was spoken vnto or moued (vnles he haue a good excuse) declare the s^ae to one Justice of peace, or sherife of y^e countie, or to y^e Maior, sherife, bailifes, or other head officers of any citie or towne corporate, where such motion was, vnles he shalbe discharged by thre Justices of peace of y^e s^ae shire &c. 1. H. 12. 1. Cl. 16. S. Riots. 24.

50 ¶ For any persō cōmitted to prisō for y^e he moued, stirred, Procures of commotion. or procured any other person to cōmit or doe any offence prohibited by y^e foresaid stat. 1. H. 12. 1. Cl. 16. S. Riots. 30.

51 ¶ For any person cōmitted to prisō, for that he being above Refusing to receive rebellion. y^e age of xviij. yeres, & vnder lx. able to serue, not sicke, lame, or impotent, & being required by a Justice of peace, sherife &c. Maior, bailife &c. of countie, city, borough, or towne, where any riotous assembly, contrary to the said stat &c. shalbe, or by any other by their cōmandement, to go with him or them to suppress the persons unlawfully assembled, doth willingly & obstinately refuse so to do. 1. H. 12. 1. Cl. 16. S. Riots. 25.

52 ¶ For any other person committed to prisō, for y^e he (having Attendace by the Queenes Lieutenant. no reasonable excuse) doth not geue his attendace vpon the Queenes Lieutenant for suppression of any commotion, rebellion &c. after declaration of his letters patents and request to him made 1. H. 12. 1. Cl. 16. S. Riots. 26.

Maynprise & Bayle.

Liveries.

53 ¶ For he which is imprisoned for buyinge or wearinge any clothes or hats, called Liveries, of y^e sozt or suit of any Lord, knight, Esquier, or other person to have maintenāce in any quarel, or in any other maner. 8. H. 6. 4. S. Liveries, 2.

Scholemaster.

54 ¶ For any Scholemaster committed to prison for one yere for presuūing to teache contrary to the statute in y^e case prouyded. 23. Cl. 1. S. Sacraments &c. 12.

Making of
ware & hony.

55 ¶ For he which is comitted to thre moneths imprisonment for non sufficiencie of payment of v. li. sozt. for counterfaiting or setting of an other mans marke vppon any pcece of ware or vessel of hony. 23. Cl. 8. S. Hony. 2. Waxe. 6.

Taking of fe:
lants, partrid:
ge.

56 ¶ For he which is comitted to prison for one moneth for not payinge wⁱⁿ r. dates after his couictiō, such penalties as he shal forsaite for killing of felants or partridges with nettes or other engins in the night time. 23. Cl. 10. S. Felants &c. 2.

Dying of cloth.

57 ¶ For he which is comitted to prison vntil he hath satisfied the value of that which he hath forsayted for infringinge the acte made. Anno. 23. Cl. for the abolishing of deceitful stufte vled in dying of clothes. 23. Cl. 9. S. Dying. 1. 2.

58 ¶ For a prisoner which before was outlawed. For he which hath abused, For any approuer, For he which is taken w^{yth} the maner, For he which hath broken the M. prison, For a theefe openly defamed, & knowē, For he which is appealed by an approuer so lōg as y^e approuer doth lue, except he be of good nāe, For he which is taken for burning of a house feloniously done, or for false money or for counterfaiting y^e M. Seale, For any excommunicat person, take at the Bishops request, For he which is take for a manifest offence, or for treason touching the M. W. 1. 3. Ed. 1. 15. And by the same stat it doth appeare. y^e he which was taken for y^e death of a man, by y^e kings comaundemēt, or his Justices, or for the forest, was not repleuisable by the common lawe.

Where main:
prize is allowa:
ble.

59 ¶ But such as be indicted of Larceny by enquests taken before Sherifes or Bailifes by their office, or of light suspectiō, or for petit Larceny that amounteth not aboue the value of xij. d. if they were not guiltie of some Larcenye befoze, or guiltie of rescypt of theues or felons, or of comaundemēt or force, or of aid in felony dōe, or guiltie of some other trespass, for which one ought not to lose lyfe or mēber. And a mā appealed of an approuer after y^e death of y^e approuer if he be no cōmon theefe nor defamed, shalbe let out by sufficient suerty, wherof y^e sherife wilbe answerable, & y^e without geuing any part of their goods. W. 1. 3. Ed. 1. 15.

Bailiff by the
sherife of one
not baillie.

60 ¶ If the Sherife or any other let one go at large by suerty which is not repleuisable, if he be Sheriffe, Constable, or any other baille

baylife of fee, which hath the keeping of prisoners, & is therof attain-
ted, he shal lose his fee & office for ever, & if the vnder sherife, Constra-
ble, or bailife of such as haue fee for keeping of prisoners, do it contra-
rie to the wil of his master, or any other bailife being not of fee, they
shal haue iij. yerres imprisonment, & make fine at the Quenes plea-
sure. *III. 1. 3. Ed. 1. 15.*

61 ¶ If any Iustices of peace do let to baile or mainprise any per-
son which for any offence by him committed is declared not to be reple-
nissable or bailable, or forbidden to be replenished by y^e foresaid sta. of 3.
Ed. 1. the said Iustices so offending shal pay such fines, as the Iustices
of Gaole deliuey of the shire, city, or towne where the offence
shalbe committed (vpon due p^{ro}ofe thereof by examinatyon before
them) shal asseste: but the Iustices of peace and Coroners within
London and Middelser, and in al other Cities, Boroughs, & townes
corporate, within this Realme and Wales, haue aucthoritye to let
to baile felons and prisoners as they haue bene heretofore accusto-
med 1. & 2. B. & B. 13. And in like sort shal sherifes or any other be
punished by the Iustices of gaole deliuey according to the forme of
the said statut of 3. Ed. 1. which do let to baile or mainprise any per-
son forbidden to be replenished by the said statut Statutum de finibus
&c. 27. Ed. 3.

Bailement by
Iustices of one
not bailable.

62 ¶ Whosoener doth withhold prisoners repleuissable after they
haue offered sufficient suerty, shal pay a greuous amerciamment to
the Quene, & he y^e doth take any reward for the deliuerance of such,
shal pay double to the prisoner, and also a greuous amerciamment to
the Quene. *III. 1. 3. E. 1. 15.*

Withholding
of prisoners re-
pleuissable, or ta-
king of reward
to deliuer them.

1 For the bailement of prisoners by Iustices of peace, taking &
certifyinge their examinations, & binding others to geue euidence
against them. *S. Iustices of peace 102.*

2 Who may be let to baile or mainprise by any Sherife, & vwho
not. *S. Sherifes 8.*

3 Where he shalbe let to mainprise which is indicted of murder
at the Quenes suit & acquitted. *S. Murder 3.*

¶ Maintenance, Champerty, Embracery and buying of Titles,

¶ If any of the Quenes Counsellors, Officers, or seruants, or any
other person whatsoever, do take or sustaine any quarel, by main-
tenance, in y^e countrey or els where, they shalbe greuously punished
in forme ensuing, that is, the said Councelors & Quens great offi-
cers shal encurre such pain as shalbe assessed by the Quens maiesty
by the aduise of the Lords of the Realme, and other lesse officers
and

Maintenance,
by the Quens
Officers.

Maintenance, Champertie &c.

and seruants of y^e M. in y^e Eschequer & other courts, & of her ordinary houshould shal lose their offices & seruices, & be imprisoned, & also pay a fine at y^e M. pleasure after euery of their degrees, estates, & descents, & al other persons shalbe imprisoned & pay fines at y^e Quenes pleasure 1. Ed. 3. 14. 1. R. 2. 4.

Clerke taking
presents of
part in quarels

2 ¶ If any clerke of y^e M. or of any Justice, do receiue y^e presentment of any Church for y^e which any plee or debate is in y^e M. court, wout y^e Quenes special licence, he shal lose the Church & his seruice. And if any Justice or Sheriffes Clarke, take part in any quarel or matter depēding in y^e Quenes court, or do worke any fraud wherby comon right may be delaied or disturbed, he shal lose his seruice, and be further punished yf y^e trespass do require. 11. 1. 3. Ed. 1. 28.

Maintenance in
enquiry of
Riots.

3 ¶ If any Riot, Rout or vnlawfull assemble be committed, & y^e Justices of peace or ii. of the do thereof make inquiry according to y^e statute, for y^e cause provided 13. H. 4. & the said riot &c. is not found by y^e Iurie, by reaso of any embracerie or maintenance of the said Turours, the euery persō duly proued to be a maintenor or embraccour of y^e same, shal for. to y^e M. xx. li. & be committed to ward, there to remaine by discretion of the Justices. 19. H. 7. 13. S. Riots 15.

Maintenance
of suits depen-
ding in any of
the Quenes
courts

4 ¶ Whosoever doth vnlawfully mainteine, or cause, or procure any vnlawful maintenace in any actiō, suit, demaund or cōplaint in any of the Quenes Courtes of the Chauncery, Starre Chamber, White Hal, or elswhere wthin any of y^e Quenes dominions of Eng- lānd, or Wales, or the Marches of y^e lāe, where any persō or persons hane authorite by vertue of the M. commission, patent, or writ, to hold plee of lāds, or to examin, heare, or determine any title of lāds, or any matter of witnes concerning the title, right, or interest of any lands, tenements or hereditaments, or doth vnlawfully retaine for maintenance of any suit or plee any person or persons, or Embrace any freeholders or iurors, or suborne any witnes by letters, re- wardes, promise, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hinderance of Justice, or to the procurement or occasion of any maner of periu- rie, by false verdict or other wise, in any of the courtes aforesaid, shal for. for euery such offence x. li. to the Quene & 3. to be rec. by A. J. &c. wherin no 11. 1. C. 13. 3. &c. if the suit be commenced in any of the Quenes Courts within one yere next after any such offence com- mitted, or els not. 32. H. 8. 9.

Embrace for
suborne
witnesses.

Champerty.

5 ¶ No officer of the Quenes, nor other person whatsoener, shal take vpon him to maintaine any matter dependinge in suit, to haue part of the thinge in plee, or other profit 11. 1. 3. Ed. 1. 25. Neither shal any person vpon such consideration, cōtēnant or de- part with his right to an other, and if any doe, and therof be attam- ted,

ted, & taker shal forsaite to the Quene so much of his landes & goods as the value of the thing in such suit taken for maintenance doth amount unto. And whosoever wil, shalbe receiued to sue for & D. before the same Justices, before whō the suit was depending, & by the judgement shalbe geuen, but a man may take & counsel of those which be pleaders of & law, & learned mē for his sē, & of his frēds. *III. 2. 13. C. 1. 49. 28. Ed. 3. 11.* And if any persō do take vpon him for maintenāce, Chāperty, or the like bargayne, any maner of suit or plex against another, & is attainted of such assumptiō, suit or bargain, or of consent thereto, he shalbe thrē yeres imprisoned, & further punished at the Quenes pleasure. *33. Ed. 1.*

6 ¶ Champertours be they & moue plexes & suites, or cause to be moved, either by their own or others procuremēt, & sue thē at their owne costs, to haue part of the land or gaires in variance. *33. Ed. 1.*

An Embraceour is he which cometh to the barre with the party & speaketh in the matter, & is there to suruey the Jury. *Embraceor.*

7 ¶ A person or persons shall bargain, buy, or sell, or by any means obtaine, get, or haue any pretended rights or titles, or take promise, grāt or covenāt to haue, any right or title, of any person or persons, in or to any manors, lands, tenements, or other hereditaments, but if such person or persons which shal so bargain, geue, grāt, covenāt, or promise & sē, their aūcestors, or they by whō he or they claime & same, haue bene in possession of & sē, or of & reversion or remainder therof, or taken the rēts, or profits therof, by the space of one whole yere next before & said bargain, covenāt, graunt, or promise made, vpon paine that he & shal make any such bargain, sale, promise, covenant or graūt, shal forsaite the whole value of & lands, tenements or hereditaments so bargained, solde, promised, covenāted, or granted, cōtrary to & forme of this act, And & buyer or taker therof knowing & same shal also for. & whole value of the said lāds &c. so by him bought or taken as is abovesaid, to & J. to be recovered by A. J. &c. wherein no *III. C. 1. 49. 28. Ed. 3. 11.* if the suit be commenced in any of the Quenes courts within one yere after the offence committed, or els not. *32. H. 8. 9.*

Buying of titles.

Purchasing of pretended title.

8 ¶ But it is lawful to any person being in lawful poss. by taking of & verely sarne, rēts, or profits of any manors, lāds, tenements, or hereditaments, to buy, obtain, get, or haue by any reasonable means & pretended right or title of any other persō or persons to be made, to, or in such lāds &c. wherof he shal so be in lawful possess. *32. H. 8. 9.*

1 For the punishment of Embraceours, S. Iurors. 5.

2 For geuing or receiuing of liueries for maintenance S. Lyue-
ries. 1. 2.

3 VVho. may vse any actions, or pursue vpon the statutes provided

Marchants, Marchandizes.

vided against maintenance, Champertie, Embracerie &c. S. Añtiõ populer. 6.

4 The punishment of forcible entries by way of maintenance. S. Force. 5.

¶ Marchants, Marchandizes.

Marchant strã-
ger may buy &
sel within this
realme without
interruption.

One stranger
shal not mar-
chandise with
an other.

Wines.

Spices.

AL Marchants, Strangers & Denizens, & al other that will buy or sel corne, wines, Auer de poles, flesh, fische, & all other luyngs & vitayle, wolles, clothes, & al other things vendible, frõ whence soeuer they come, at what place soener it be, City, Borough, Towne, Port of the sea, faire, market, or els where within þe Realme, wñ franchise or without, may freely sel the to what person it shal please them, as well foraines as denizens, in grosse, at retaile, or by parcels, at their willes, to all people that will buy the same (except to the enemies of the Quene and her Realme.) And if any disturbance be done to any marchant stranger or denizen, or to any other for the sale of such things in any City, Borough, town, port of the Sea, or other place which hath franchise, & the Maiors, & Bailifs, or other which haue the rule of such franchise, being required by þe said merchāts, or other therof to prouide remedy, & do not, & therof bee attainted, the franchise shalbe seised into þe Quenes hands, & neuer theles, they which haue done this disturbance shal restore to the said merchāt his double dāmagēs which he hath therby sustained. And if such disturbāce or interruption bee done in such places or to wñes where no franchise is, & the lord (if he be present) or his bailiffe, cōstable or other ruler of the said to wñes & places (in the absence of þe said lord) being therein required to do right, & do not, & therof be attainted, they shal yelde to þe plaintife his double dāmagēs as aforesaid, & the disturbers in the one case & in the other, as well wñt in the franchise as without, if they be attainted, shal haue one yerce imprisonment, & be rānsomed at þe Quenes pleasure. No alien or denizen vpon the foresaid paine shalbe troubled, but hee may freely buy such things as foresaid in þe said places, & carry the where it pleaseh him to his own vse, or to the profit of the Quene or the realme, sauīng þe such merchāts Aliens shal carry no wine out of þe sām realme. But no marchant stranger shal alien, sel at retaile, nor buy, nor make marchandize within the realme with an other straunge marchant alien, to sel againe, nor no merchāt alien shal sel to retaile wñ the same realme, nor shal put to sale any maner of wares or marchandizes except luyngs, and vitayles. And also al aliēs shal sel wines by whole vessels, & Spicerie by whole vessels & bales, and in no other maner. And no maner of spicerie after it is brought into þe realme, shalbee carried out of þe sām by alien or denizen, vpon paine of forfeiture of þe same. 2. Ed. 3. 1. 25. 2. R. 2. 7. 16. R. 2. 1. 2. R. 2. 1.

2 ¶ If any Maior, sherrife, bailife, or other officer in any city, borough, or towne within this Realme, do distraine, take, or leuy any custome called Scavage or the wage of any marchant denizen, or of any other *¶* D. subjects denizens, for any marchandises to the *¶* D. he soe truly customed that is brought by lande or by water to be vttered in any citie, borough, or towne in this lande, or for non payment of *¶* said Scavage let any merchants, or any other persons denizens to sel & vtter their merchadise by the brought into any city, borough, or towne, then he which offendeth shal forfeit for every offence xx. li. to the Queene and *¶* party grieved, or any other that wyl sue, wherein no *¶* W. et. C. *¶* D. et. *¶* W. But *¶* Maior, Sherrifes, & commaltie of London & every of the shal haue al such sumes of mony for scavage of every person denizens as by right they ought. 19. *¶* D. 7. 8.

No scavage
shal be paid
for marchandise
customed.

3 ¶ No person shal bring, or cause to be brought into this realme of Englands, from *¶* partes beyond the seas, any girdles, harnesse for girdels, rapiers, daggers, knives, hilts, pummels, lockes, chaps, dagger blades, handles, scabards & sheathes for knives, saddels, horse, harness, sturrippes, bittes, gloves, pointes, Leather laces or pinnies, being ready made in any partes beyonde the Seas to be solde, bartered, or exchanged within this realme of England or Wales, upon paine to forfeit all such wares so brought contrarie to the true meaning of this act, in whose hands soever they or any of them shalbe found, or the very value therof to the Queene and Informer, or him that wil selle the same, to be recovered by A. J. et. wherein no *¶* W. et. C. *¶* D. et. 3. *¶* C. 4. 4. 1. *¶* R. 3. 12. 5. *¶* Cl. 7. 14. *¶* Cl. 11. to contynue to the end of the next parliament.

Merchandise
not lawfull to
be brought into
this Realme.

4 ¶ If any person do shippe or convey, or cause to shipped &c. in or to any Shippe, Boate, or vessel, in or upon the sea, or in, or upon any haven, Creeke River or place within Englad or Wales, any manner of shepe skinnies, wolfsels, herelings, moxlings, or *¶* skinnies of any Stagge, hynd, bucke, doe, goate, fallow, or hidde, or *¶* peltres of any of the, or *¶* leather made of any of the (tailed leather made of shepe skinnies, onely except 8. *¶* Cl. 14.) to the intent to transport the same beyond *¶* sea, there to be vttered by way of merchadise, or otherwise, he shall forfeit all such skinnies, or peltres, bought, laden, shipped, or transported, or the value of them, and also two shillings six pence for every sell, pelt, skinnie &c. bought, laden, shipped, or transported, to the Queene and J. to be rec. by A. J. et. wherein no *¶* C. Protection, Injunction &c. But the Marchants of the Staple, the merchants of Petwe Castell upon Tyne, Hartlepole, and Barwike, their servants, factors & attornies, may transport al such lawfull wares as heretofore they lawfully might have done. 5. *¶* Cl. 22.

Shipping of
felles, skinnies,
Leather.

5 ¶ No man shall lade, or cause to bee laden from any place on the

At what time & place merchant-
bills shall be dis-
charged.

the land, into a ship, or vessel to be transported into any forraigne Re-
gion, or lay on land, or take &c. out of any ship (being not in leake or
wrecke) any goods brought fro any parts out of the Q. dominions,
by way of Marchandise (if the taken by the Quenes subjects & salt
except) but only in the day light, viz. from the first of March vntil the
last of September betwixt y^e Sunne rising & y^e Sunne setting. And
fro the last of September vntil y^e first of March betwene y^e holwers
of leuen in y^e morning & solwer in y^e afternone, & in & vpon some such
open place, key, or wharfe, as the Q. maiestie hath, or shal appoint,
or where a Customer, Comptroller & Sercher (but only except) by
y^e space of x. yeres before the making of this act (beinge 23. Januarij
Anno D. 1559.) haue bene resident, vpon paine of forf. of al such
goods or marchandise so laden, or discharged, contrary to y^e true mea-
ninge of this act, or the value thereof. 1. Cl. 11. 4. B. 4. 20.

At what time & place the master
of a ship shall
receiue or dis-
charge his la-
ding.

6 ¶ If any master, or other persō taking charge of a ship, craier, or
vessel, do receiue into his ship, or lay on land out of his ship any goods
or marchandise (except before excepted) to be transported ouer, or
brought in from any place out of y^e Q. dominions in any other place
or at any other holwer then is before limited, he shal forfalt for eue-
ry offence a hundred pound to y^e Q. & J. to be rec. &c. wherin no W.
&c. C. B. J. &c. 1. Cl. 11.

Shipper shall
giue notice to
the Customer
of his depa-
ring.

7 ¶ No master shipper, or other, taking charge of y^e voyage, shal
receiue into his ship any goods (except before excepted) to be trans-
ported out of y^e Quenes dominions, before he shal signifie to y^e Cus-
tomer & officers of the port where he ladeth, y^e he intendeth to lade, &
into what place he intendeth to passe, nor shal after his lading de-
part out of y^e port where he shal lade, before he do signifie vnto the
said officers of his lading, & what persōs shal haue lading with him
in his ship. And further do truely answer to such questions, as shalbe
ministred vnto him by the Customer or other officer concerning the
marchandise laden, being examined vpon his othe, or otherwise, vpon
paine to forf. for every default not truely aduertisinge, nor answer-
ing C. li. to y^e Q. & J. &c. wherin no W. &c. C. B. &c. 1. Cl. 11.

The customer
shalbe aduert-
sed of al marchan-
dise brought in

8 ¶ If any person taking charge of a ship wherin any merchan-
dise (except before excepted) shalbe brought fro any parts out of y^e Q.
dominions, shal discharge into any lighter & lay on land, or procure,
or willingly suffer to be discharged &c. any goods before he shal haue
declared to y^e Customer, or other officer of the port where he arriv-
eth, the names of every of y^e marchāts or laders, & shal haue truely
answered to such questions concerning such marchandise as shalbe
to him ministred vpon his oth, or otherwise, by such Customer or of-
ficer, he shal forf. for every def. C. li. to the Q. & J. wherin no W. &c.
C. B. J. &c. 1. Cl. 11.

9 ¶ Every Merchant Alien, & every vitailer, or other stranger not being denizen, which shall resort into any place or Port of this realme or Wales, shall duly employ al the money received by him in any port of the same realme, or Wales, upon the marchandizes or other commoditties of this realme (saving his reasonable costes by the oversight of the chiefe Governour of the place where he shal arrive) or without fraude shall put the same in due payment to the Quenes people within the Realme: the same employment in payment to bee duly proved by the stranger befoze his departing out of the same Port, by writing from the marchant to whom the said stranger hath paid his money, witnessing that he hath so done, or else by such proofes as shall seeme reasonable to the Customer or Comptroller of the same Port, and Mayor, Ballife, or other chiefe Governour of any such Citie, Borough, or Towne where such port shalbe, upon paine of forf. of all his goods, being within the realme, & one yeeres imprisonment. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8. And marchants Aliens shall finde suertie in the Chauncery every company of the of their company, & none shall carry Golde or Silver out of this realme, against the statutes therfoze provided, upon paine of forf. of the same or the value. 2. H. 6. 6.

Aliens shal im-
ploy their mo-
ney in this
Realme.

10 ¶ Every marchant of Ireland,ernesey, & Garnesey that bringeth any marchandize into this realme, shal employ the mony received for the same (his reasonable expences deducted) upon the commoditties of this realme, or else without fraude shal put the same money in due payment within this lande (the said employment or payment to be proved as is aforesaid) upon paine of forf. of the value of the Marchandize so brought into this realme. 3. H. 7. 8.

Marchants of
Ireland, Jern-
sey, & Garnesey.

11 ¶ No person dwelling in the countrey any where within England, out of any citties, boroughs, towtines corporate, or market towtines, shal sel, or cause to be sold by retails, any wollen cloth, linnen cloth, Haberdash wares, Grocerry wares, Mercery wares, at or within any the said cities, boroughs, towtines corporat, or market towtines, or within the suburbs or liberties thereof (except it bee in open ffaires) upon paine to forf. for every time so offending vii. s. viii. d. & the whole wares so sold, &c. to the King. which will lesse & sue for the same by A. J. &c. wherein no W. &c. C. D. &c. 1. & 2. H. 7.

Nonedwelling
in the countrey
shal sell wares
by retails in a
market towne.

12 ¶ This act shall not be hurtfull to any persons that bring any of the said wollen cloth, linnen cloth, Haberdash, Grocerry, or Mercery wares, to any of the said cities, market towtines &c. to be sold by whole sale, in grosse & not by retails, but every of the may lawfully sel the same by whole sale, in grosse, and not by retails, as they might have done befoze &c. 1. & 2. H. 7.

Countrymen
may sell wares
in grosse in mar-
ket towtines.

13 ¶ This act shall not extend to any persons that dwell in the
D. D. 1. Countrey

Marches. Mariners.

Whē a countrey
man is come to
dwel in a mar-
ket towne he
may sel by re-
taile.

Orfode.
Cambrydge.

Cloth of theire
owne making
sold by retaile.

Comtrey out of any of the said Cities, Boroughs, towtens corporate, or market towtens, but euery of them at any tyme when hee shalbe free of any of þe Guildes, or liberties of any of the said cities, or market towtens &c. & dwell within any of them, shal or may sel, or cause to be sold any of the wares aforesaide by retaile. Neyther shall this act be prejudiciall to the liberties & privileges of the universities of Orfode & Cambrydge, or either of the. 1. & 2. B. & M. 7.

14 ¶ It shalbe lawfull to al persons to sel or cause to be sold by retaile or other wise, al linnen or wollē cloth of their owne making, in euery citie, borough, or towne corporate, and market towne, as freely as they might haue done before. 1. & 2. B. & M. 7.

I In vvhath sort Merchantes and handicraftsmen shall pay their Tythes. S. Tythes. 30.

¶ Marches.

Attachment.

[If any Officer of any of the Courtes of þe East March, or West March adioynning vnto Scotlande, doe attache any person by his body, or by his goods, out of any of þe counties of Northumberland, Cumberlande, & Westmerland, or the towne of New castle vpon Tyne, to answer to any of the said Courts, or by colour or cause of any manner of presentment taken in any of the said Courtes: It is lawfull for þe persō so attached to make resistance, & not to obey any such attachmēt. And if any person be endamaged or grieved by such attachment, he may haue his action of Trespasse, or False imprisonment, against them which shall make, or cause to be made such attachmēt, and in the same shal recover treble dammages, if in the saide action the matter pleaded passe, or bee iudged for the plentife. And also the defendant shall haue two yeres imprisonment, & pay C.s. to the Quene. 3 I. B. 6. 3.

¶ Mariners.

Mariner be-
parting from
his captaine.

[If any Mariner, or Gunner which taketh any prest or wages to serue the Quene, her heires, or successors, doth not go with, or doth depart from his Captaine within his terme, for the which the captaine hath retained him (except some impediment by the visitatio of God suffer him not to goe,) which he shal certifie immediatly to his captaine, and repay his prest money, or except he do obtayne licence of his captaine vnder his seale, it is felony, and he shall be punished as a felon. 18. B. 6. 19. 5. Cl. 5.

Mariner or fish-
erman shall not
serue as a soul-
dier.

2 ¶ No Mariner or Fisherman haunting þe Sea as a mariner, or fisherman, shalbe compelled against his will to serue as any soul- dier vpon the Lande, or Sea, otherwise then as a mariner, except it shall be vnder any captaine of some ship or vessell for landing to doe some

some exploit, which mariners, haue vsed to doe, or vnder any other person hauing aucthoritie to withstand inuasion of enemies, or to subdue any rebellio in the realme. And also except al such persōs, as by tenure, lawfull custome, or couenant be bound to serue. 5. Cl. 5.

3 ¶ No fisherman, vsing or haunting the Sea. shalbe taken by the Quēnes Commission to serue her highnesse as a mariner on the sea, but y^e saide commission shalbe first brought by the Quēnes to two Justices of peace, next adioyning and inhabiting to the saide Sea coasts, to towne, or other places where the saide mariners are so to be taken, to the intēt the said Justices may chouse out, and cause to bee returned such sufficient number of able men, as in the said Commission shalbe contained to serue her maiestie. 5. Cl. 5.

By what meanes fishermen shalbe taken to serue as mariners.

1 For the Mariners forfeiture for transporting Corne, Beere, Butter, Cheese &c. S. Corne. 1.

2 For the Mariners forfeiture for transporting of Leather. S. Leathen. 33.

3 For the punishment of vvatermen vvhich hide them selues in the time of pressing. S. Boatmen. 6.

¶ Marshall, Marshallic.

The Stewards & Marshals shall not holde plea of frēholde, nor of debt, couenant, nor any cōtract made betwēen any of y^e Quēnes people, but only of trespass done within y^e Quēnes house, or of other trespasses done within the verge, & of such contracts, and couenāts y^e one of the Quēnes house maketh with another within the same house, & not els where, & they shall pleade no plē of trespassse, except the partie were attached by them befoze y^e Quēne depart from the verge where the trespass was cōmitted, & they shal plead thē speedily from day to day, so that they may be pleaded & determined befoze the Quēne depart out of the limites of the same verge, where the trespass was cōmitted. And if they cānot be determined within the limits of y^e same verge, y^e plēs shall cease befoze the Stewarde, & be determined at y^e cōmon law. The Steward shall not take cognisāce of debts, nor of other things, but of such persōs only which be of the Quēnes house, nor shal holde any other plē by obligatiō made by a distresse taken by the Steward or marshal. And if they attempt any thing contrary to any part of this statute, it is voyde. 28. Ed. 1. 3. Articuli super cartas.

Of watchings the Marshal of the Quēnes house shal hold plea.

Cognisance of debts.

2 ¶ If any plē of debt, detinue, or other plē personal be cōmenced betwixt any persons being not of y^e Quēnes house, though the Record do make mentiō y^e the plentife & defendant in the same plē be of the Quēnes house, yet the defendant shall not be esopped by such recozde but may make his auerment y^e he himselte, or the saide plentife were not of the Quēnes house at the time of the saide plē or suit commenced. 15. H. 6. 1.

The def. shall not be esopped by the plaines declaration.

Marshal, Marshallie.

During the Q.
abode the mar-
shal may keepe
his court wth
franchises.
The verge xii.
miles.

Enquests in
the Marshalls
court.

Error in \bar{h} mar-
shals court shal
be reuerfed in
the Kinges
Bench.

The Marshalls
fees.

Seruites of
bills.

Ecclesiasticall
persons.

3 ¶ In all places where the Quene in her owne person shall come to rest, abide, or make repose, there within the verge limited to her Graces Court (which shall not pas the space of xii. miles, to be accompted fro her lodging. 13. R. 2. 3.) her Steward, Marshall, Coroner, & all other officers may keepe their courts for Justice, and execute their offices which shal appertaine vnto them, according to the lawes, customes, & statutes of this Realme, aswel within liberties as without, during the time of the Quenes abode, any privilege or graunt notwithstanding. 27. H. 8. 25.

4 ¶ In every case where requests be to be taken before \bar{h} Steward & Marshall of the Quenes house, such enquests shall be taken by men of the countrey thereabout, and not by any of the Quenes house, except it be of contracts, covenants or trespasses made by such wherof the one part & the other is of the Quenes house, and that in the same house. 5. Ed. 3. 2. 10. Ed. 3. 2.

5 ¶ If any man will complaine of Error made before the Steward and Marshall of the Quenes house, he shal haue a writ to remove the Record and the proces into the Kinges bench, & there the Error shalbe redressed. 5. E. 3. 2. 10. Ed. 3. 3.

6 ¶ The Marshall of the Marshallie of the Quenes house may take the fees hereafter following in open court. That is, of every person which cometh by Capias to the said Court iiii. s. and if he bee let to mainprise vntil his day ii. s. moze. And of every person being defendant which is impleaded of trespass, & findeth ii. mainpernors to keepe his day vntil \bar{h} ende of the plee ii. s. And of every person committed to prison by iudgement of the Steward, in what soever manner the same be iiii. s. And of every person delivered of felony iiii. s. And of every felon let to mainprise by the Court iiii. s. But if the Marshall, or any of his officers vnder him, doe take any other fees the are before declared, the said Marshall & every of his officers shall lose their offices, & also shall pay to the \bar{h} . græued treble damages, for the which the said party shall haue his sute before the Steward of the said Court, for the time being. A seruite of Bills which beareth a staff of \bar{h} same court shal take for every mile fro the same Court, vntil the place where he shal do his service, i. s. & for xii. miles xii. s. & to serue a Venire facias, or Distringas out of \bar{h} same court \bar{h} double, & if any Seruite of bills do \bar{h} contrary, he shal be imprisoned, & make fine to \bar{h} Quene after the discretio of the Steward of \bar{h} same court, and also be foriudged & banished the same Court. All which articles the Steward at his coming into the Countrey hath auctoritie to proclaim & put in execution. 2. H. 4. 23. And Priests & other ecclesiasticall persons taken in the Marshallie of \bar{h} Quenes house, shall pay such fees, as lay people shal reasonably pay & no moze. 9. R. 2. 5.

7 ¶ The

7 ¶ The steward of the Marshallsie shall be for ever from time to time assigned by writing under the Seale of the lord Stewarde of the D. house for the time being. 33. H. 8. 12. Steward of the Marshallsie.

1 In vvhat cases the plaintifes shall ansvere dammages in the Marshallsie. S. Damages. 2.

2 Where the Marshal shall not let to baile him vvwhich is in the kings bench. S. Mainprise. 42.

Matrimonic.

AL persons be lawfull to contract marriage, that be not prohibited by Gods lawe to marry, & no reservation or prohibition (Gods law except) shal trouble or impeach any mariage, without the leuitical degrees. And no person of what estate, degree or condition so ever he or she be, shall be admitted in any of the spirituall Courtes within the Queenes Realme, or any her lands & dominions to any proces, plea, or allegation contrary to this act. 32. H. 8. 38. 1. Cl. 1. In the saide stat of 32. H. 8. it was ordained y marriage being contract & solemnized in the face of the Church & consummat with bodily knowledge, or fruit of childe, or children betwene the parties so married, should be good & indissoluble, not withstanding any precontract of matrimonic not consummat with bodily knowledge which either of the persos or both should have made with any other before the time of contracting that marriage so solemnized & consummat &c. But that part of the Statute is repealed by. 2. Ed. 6. 23.

¶ Mesne.

When chiefe Lordes doe distraine in their fee for Customes & seruices due vnto them, and there is a Mesne which ought to acquite the tenant, thence it lieth not in the mouth of the tenant after he hath repleiued y distress to deny the demaunds of y chief lord which anoweth in the Queenes court y the distress is lawfully take vpon his tenant, v3, vpon the Mesne: this remedy following is provided for the tenant, That as sone as the tenat in demesne (hauing a Mesne betwene him & chiefe lord) is distrained, immediatly the tenant shal purchase a writ of mesne. And if the Mesne hauing land in the same countie will make default vntil the graund distress be awarded, y plaintife shal haue such day giue him in his writ of graund distresse that before the coming therof, two counties may be holden, & the Sherife shalbe commaunded y he doe distraine the mesne by the graund distresse as in y writ is contained, & neuerthelesse y Sherife in two sul counties shal cause solemply to be proclaimed that y said Mesne shal appeare at the day contained in the writ, to answer the tenant, at which day if he do appeare, y suit shal proceed betwixt the

D D. iii.

according

Mesne.

The Mesne
forfeudged of
his mesnalltie.

according to the accustomed maner, & if he do not appeare, then the said Mesne shal lose the service of his tenant, & from thenceforth the tenant shal not answer him any thing, but (leaving the Mesne) shal answer the chiefe Lord those services and customes which befoze time y^e foresaid Mesne had wont to do. But y^e chiefe Lord shal have no power to distreine the tenant in demesne so long as the saide tenant do offer him his services due & accustomed. And if y^e chiefe lord do require moze the the Mesne ought to do vnto him, the tenant in this case shal have the same exception against the Lord, which the Mesne shoulde have had. And if y^e mesne have nothing in y^e Quenes power, yet the tenat shal purchase his w^{rit} of mesne to y^e Sheriffe of that countie wherein he is distrained, and if the Sheriffe returne that he hath nothing, whereby hee may be summoned, yet a w^{rit} of Attachment shal be awarded, & if the Sheriffe returne that hee hath nothing, whereby he may bee attached, yet a w^{rit} of graund distress shalbe awarded & proclamatiō shalbe made in forme aforesaid. If y^e Mesne have no land in the countie wherein the distress is taken, but hath land in some other countie, then an original w^{rit} shalbe awarded to summon the mesne to the Sheriffe of that countie, wherein the distress is taken, & when that Sheriffe shal returne y^e he hath nothing in his countie, then a Judicall w^{rit} shalbe awarded to summon the mesne to the Sheriffe of y^e countie wherein it is testified that he hath land, and the suit shal proceed in that countie vntill it is come to the graund distress & proclamatiō, as befoze is said of the mesne having land in the same countie where the distresse is taken, and neuertheless the suit shalbe in the countie wherein he hath nothing, (as befoze is said of the mesne having nothing) vntill it be come to the graunde distress and proclamation, and so after proclamation made in both counties, the mesne shal be forfeudged of his fee and service. And wheras it chaunceth sometime that the tenant in demesne is enfeoffed to holde of the mesne by lesse service then the mesne ought to doe vnto the chiefe Lord, when after such proclamation the tenant hath attuned vnto the chiefe lord (omitting the mesne) the tenant must of necessitie answer the chiefe lord the services & customes, which the mesne befoze ought to have done vnto him, And after y^e mesne doth come into the court, & doth acknowledge that he ought to acquite his tenant, or is adiudged to acquite him, if after such acknowledging or iudgement there be complaint made y^e the mesne hath not acquitted his tenant, then a Judicall w^{rit} shal be awarded, that the Sheriffe shal distreine the mesne to acquite the tenant, and to appeare befoze the Justices at a certayne daye, to shewe why hee did not acquite him befoze. And when he appeareth at the distresse, the plaintife shalbe heard, and if the plaintif can verifie that he hath not

The tenat hol-
ding by lesse ser-
vice then the
Mesne doth.

not acquitted him, he shal yeeld him dammages, & by awarde of the court, the tenant shal go quite from his mesne, and atturue vnto y^e chiefe Lord, and if he do not appeare at the first distresse, an other writ of distresse shalbe awardeed, and proclamation shal be made & as sone as that is returned, iudgement shalbe giuen as is aforesaid. And it is to be noted, y^e by this statute, the tenants be not excluded, but they may haue their warrantie of the mesnes and their heires if they be impleaded of their tenements, as they haue had befoze, nei- ther be the tenants excluded, but they may sue their mesnes accor- ding to the custome befoze time bled, if they see that the proces in ancient time bled, may more auaille them then that which is giue by this statute. And it is to be understood, that by this statute, there is no remedie provided for al mesnes, but onely in case where there is one onely mesne betwixt the Lord that doth distraine & the tenant, & in case when that mesne is of ful age, and in case when the tenant without the preiudice of any other then of y^e mesne, may at- turue to the chiefe lord, the which is said for women that be tenants in Dower, tenants by the curtilie of Englande, or other wise te- nantes for terme of life, or in fee taile, for whom by this statute no remedie is provided. West. 2. 13. Ed. 1. 9.

Warrantie of
the Mesne.

The tenant may
take his reme-
dy giuen by the
common law.

For which mes-
nes this statute
is provided.

¶ Monasteries, Colledges, Freechappels, Chauntries.

Anno 27. H. 8. it is enacted, that the said King H. 8. shall haue & enioy to him & his heires for ever, al such monasteries, priories & other Religious houses of Monkes, Chanons, & Nunnes which haue not in lands, tenements, rents, tithes, portions, and other here- ditaments, aboue y^e clere yerely value of CC. li. And in like maner shall haue all the Seites, and Circutes of euery such religious hou- ses, & al & singuler the manors, granges, meases, lands, tenements, rents, reuerfions, seruices, tithes, pensions, Churches, chappels, ad- uowfions, patronages, annuities, rights, conditions, & other heredita- ments, belonging to euery such Monasterie, Priorie, or Religious house, in as large maner, as y^e Abbots, Priors, Abbesses, and other Couernors of such religious houses &c. now haue or ought to haue the same, in the right of their houses. And also he shal haue to him & to his heires, all such monasteries, abbies, and priories, which at any time within one yere next befoze the making of this act, haue bene giuen and graunted to his Maiestie by any abbot, prior, abbess, or prioress, vnder their couent seale, or that other wise haue bene sup- pressed, or dissolved, & al the manors, lands &c. and hereditaments to any of the same monasteries &c. belonging. And y^e King shall haue the actual & real possession of all y^e said religious houses, so y^e he may giue & dispose them at his pleasure, without further inquisitions or

Monast. giuen
to y^e King which
had not in lands
aboue CC. li.
by the yere.

Monast. sup-
pressed within
a yere befoze.

Monasteries &c.

Monast. goods
given to the
king.

offices to be found for the same. And y^e king shall have to his owne vse all such ornaments, jewels, goods, cattels, & debts which appertained to any of the chiefe governours of the said monasteries or religious houses, in the right of their said monasteries or houses, at. 1. *Marci. An. D. 1535.* or at any time sithence, whersoever they shall come, except onely such beasts, graine, & woods & such other like cattel & reuenues, as they haue sold before the said first day of March, or sithence, for the reasonable expences of any of the said houses &c.

A confirmation
of y^e kings let-
ters patentes
made of abbey
lands.

2 ¶ And in the same stat. it is further enacted, y^e euery person & bodie politique, which haue or shall haue any letters patentes of the king of any of y^e Scites, Circuites, manors, landes &c. or other hereditaments which appertained to any monasteries, abbies, or priories, heretofore suppressed, or y^e shall be suppressed by this act, shall haue & inioy y^e said scites, landes &c. & all other hereditaments contained in their letters patents, according to y^e tenour of the same letters patents. And shall also haue al such actions, suites, entries, & remedies, to al intents for any thing contained in euery such letters patentes, in like maner as y^e chiefe governours of any religious houses, which had y^e saie, or ought to haue had, if they had not ben suppressed. 27. H. 8.

Other mens
titles saved.

3 ¶ Sauing to euery person & persons, & bodies politique, their heirs & successors (other the y^e Abbots, Bishops, Abbesses, Bishopesses & other chiefe governours of the said religious houses specified in this act, & the Couents of the same & their successors, and such as pretended to be founders, patrons, or donors of such religious houses, or of any landes, tenements, or hereditaments belonging to the same, & their heirs and successors) all such right, title, interest, possessions, leases for yerres, rentes, seruices, annuities, commodities, fees, liberties, and livings, portions, portions, corodies, sinodes, prores, and all other profits, as they or any of them hath, ought, or might haue had, in, or to any of the saide monasteries, or other religious houses, or in or to any manors, landes, or other hereditaments, y^e appertaine to any of them, as if the same houses had not ben suppressed by this act, but had continued. And sauing vnto euery person and persons being founders, patrons, or donors of any Abbie, Bishopricke, or other religious houses suppressed by this act, their heirs & successors, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, & al other profits, which any of the haue, or should haue had, without fraud or couin by any meanes, other wille then by reason or occasion of y^e dissolution of the saide Abbies, Bishoprics, or other religious houses, into, or vpon any of the said Abbies &c. wherof they be founders patrons, or donors, or into or vpon any landes, tenements, or other hereditaments belonging to y^e same, in like maner, as other persons & bodies politique, be saued by this act, as is before rehearsed.

The founders
right of some
thing saved.

And

And as if the same Abbies, Priories, or other religious houses had not bene suppressed by this act, but had continued in their essentiall bodie and estates. 27. H. 8.

4 ¶ All craftie and fraudulent recoveries, seoffements, estates, gistes, grauntes, and leases, and euery of them, made by any of the chiefe Governours of such religious houses, vnder their Couet seals within one yere next befoze the making of this act, shall be utterly boide. 27. H. 8.

Fraudulent
couerances.

5 ¶ Such persons as haue leases for terme of life or yeres, whereupon is reserved y^e olde rent, & seruices accustomed, & such as haue any offices, fees, or cozodies, y^e hath be accustomed in such religious houses, & haue bought any livery or living in any such houses, shall haue & enjoy y^e same, as if this act had neuer ben made. 27. H. 8.

Leases, offices,
fees, cozodies
saue.

6 ¶ But this act shall not be prejudiciall to any Abots or Priours, of any abbies or priories, being certified into the Eschequer to haue in possessions & profits, spirittuall & tempozal, aboue the cleare yerele value of CC.li. concerning such Celles of religious houses, belonging to their Monasteries or priories, in which celles y^e Priours, or other chiefe Governours thereof, bee vnder the obedience of the Abbots & Priours, to whom such celles belong, & cannot sue nor be sued, & be Priours or Governours datine or remouable, & accompt of the profits of such celles, at the pleasure of the Abbots & Priours. &c. 27. H. 8. a Statut not imprinted. S. Husbandrie. 9.

Celles of houses
under obedience of
others.

7 ¶ Anno. 31. H. 8. 13. It is enacted, y^e the king shall haue & enjoy to him his heires & successors for ever, all and singular such late Monasteries, Abbathies, priories, nurries, colleges, hospitals, houses of Friers, & other religious & ecclesiasticall houses and places, which sithence 4. Februarie, Anno. 27. H. 8. haue ben dissolved, suppressed, renounced, relinquished, forfeited, given by, or by any other meanes, come to his highnes. And in like maner shall haue & enjoy, al the Scites, Circuits, precincts, manors, Lordships, grages, messuages, lands, tenements, medowes, pastures, rents, reuerfions, seruices, woods, tythes, pencions, portions, parsonages appropriated, vicarages, churches, chappels, advowfons, nominatiōs, patronages, annuities, rights, interests, entries, conditions, cōmons, leets, courtz, liberties, priuileges, franchises, & other whatsoeuer hereditamentz, which appertained to y^e said late monasteries, & other religious houses &c. or to any of the, in as ample maner, as the late Abbots, Priours, & other ecclesiasticall Governours of such Monasteries & religious houses, had, helde, or occupied, or of right ought to haue had holden, or occupied in the right of their saide Monasteries, or religious houses at y^e time of y^e said dissolution, or by any other mean, coming of the same to the king, sithence the saide fourth day of Februarie.

All religious
houses which
before were, or
should be dissolved,
given to
king H. 8.

And

Monasteries &c.

And not onely all the sayde late Monasteries, Abbathies, and other religious houses, scites, circuits, manors, landes, and all other the premises, forthwith presently, but also all other Monasteries, and al other Religious and ecclesiastical houses and places, which hereafter shall be dissolued, suppressed, or by any meane come vnto the King. And also al the scites, circuits, manors, landes, and other hereditamentes whatsoever belonging to any of them, whensoever, and as soon as they shalbe so dissolued, or by any other mean come vnto the king, shalbe bested, and adiudged in the very actual & reall seison and possession of the king, his heires and successors for ever, in the state and condition as they now be, and as though al the said late monasteries, abbathies, and all other religious and ecclesiastical houses and places so dissolued, and suppressed, as also which hereafter shall be dissolued, suppressed &c. or come vnto the King, scites, circuits, precincts, manors, Lordships, granges, lands, tenements, & other the premises, & euery of them were in this present act specially and particularly named by expresse words.

Other men's
titles saved.

8 ¶ Saving to euery person and persons, and bodie politique, and the heires and successors of euery of them (other then the sayde late Abbots, and other ecclesiasticall Governours of the sayde late Monasteries, and other religious and ecclesiasticall houses and places, and the successors of euery of them, and such as pretende to be founders, patrons, and donoys of such monasteries, and other ecclesiasticall houses and places, or of any manors, mesuages, lands, tenementes, and other hereditamentes, belonging to the same, their heires and successors, and the heires and successors of euery such patron, founder, or donoys, and the now Abbots, and other ecclesiasticall gouernors of such Monasteries and religious houses and places, which hereafter shall be dissolued, or come to the king. And such as pretende to be founders, patrons, or donoys of such monasteries and Ecclesiasticall houses and places, or of any manors, mesuages, landes, tenementes, or other hereditamentes to any of them belonging, their heires and successors) al such right, title, claime, interest, possessions, rentes, charges, annuities, leases, farmes, offices, fees, liuries, & livings, portions, penclions, corodies, commons, sinodes, prores, & other profits, which they or any of the haue, claime, ought may, or might haue had, in, or to y^e premises, or to any part or parcel thereof, in such like maner to all intents, as if this act had neuer bene made (rentes seruices, rents secke, and all other seruices and suites onely excepted) 31. H. 8. 13.

Leases of lands
not usually let.

9 ¶ If any Abbot, Prior, Abbess, Prioresse, or other ecclesiasticall Gouernor or Gouernesse, of any Monasterie, abbathie, or other religious or Ecclesiasticall house or place, which hereafter shall be dissolued,

dissolved, suppressed or come to y^e king, within one yeere next before the first day of this Parliament, (being 28. Aprilis, An. Mo. 1539) have made or hereafter doe make any lease or graunt vnder his count or comon seale, or other wise for terme of yeeres, or life, or lynes, of the scite, circuit, and precinct of the said monasterie, or ecclesiasticall house or place, or of any part thereof, or of any manors, messuages, landes, or other hereditamentes, belonging to his sayde monasterie, or ecclesiasticall house or place, which manors, messuages, landes &c. or other hereditaments, were not before y^e same lease, commonly used to bee let to ferme, but reserved in the manurance, tillage, or occupation of the said Governour, or Gouvernesse, for the maintenance of Hospitalitie and good house keeping, or now be in the manurance, tillage, or occupation of the said gouverneur or gouvernesse, for the maintenance of hospitalitie &c. **¶** Within one yeere next before y^e first day of this Parliament hath made, or hereafter shall make any lease or graunt, for terme of life, or for terme of yeeres, of any manors, messuages, lands &c. or other hereditaments, whereof and in the which any estate or interest, for terme of life, yeere or yeeres, at the time of the making of any such graunt or lease, then had his being or continuance, or hereafter shall have his being or continuance, & then was not determined or expired, or at y^e time of any such lease to be made shall not be determined or expired: **¶** Within one yeere next before y^e 1. day of this parliament hath made or hereafter shall make any lease or graunt for terme of life, or for terme of yeeres, of any manors, messuages, lands, or other hereditaments, upon the which leases or graunts the usual & old rents & services accustomed to be yielded & reserved, by the space of xx. yeeres, next before y^e first day of this Parliament, is or be no, or hereafter shall not be thereupon reserved & yielded. **¶** Within one yeere next before the first day of this Parliament, hath made, or hereafter shall make, any bargain or sale of his woodes, which woodes bee yet growing and standing, then all and every such lease, graunt, bargain, and sale of woodes, shall be utterly voyde. 31. H. 8. 12.

Leases in reversion.

Leases not reserving the olde rent.

Woodsales.

10 **¶** All feoffements, fines, and recoveries, had, made, knowledged or suffered, within one yeere next before the first day of this Parliament, or hereafter to be made, knowledged &c. by any Governours or Gouvernesse, of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shall bee dissolved, suppressed &c. or come to the king, without the kinges licence vnder his great seale, of any manors, messuages, landes, tenements, or other hereditaments, which the said Abbots, and other ecclesiasticall governors and gouvernesse, or any of them, or any of their predecessors, had or held, or have and holde of the gift, graunt, & confirmation of the

Assurance of lands without the kings licence.

Monasteries &c.

the king, or any of his progenitors, or of the which Monasteries, or Ecclesiasticall houses, the king is founder, or patron, or which manors, manors, or hereditaments, were or be of the auncient foundation or possession of the same Monasteries, Abbathies, or ecclesiasticall houses or places, shalbe utterly voyde. 3 I. 8. 3.

¶ In the same Statute the like purueiue vvas made in every respect, to auoyde all leases of lands not vsually let, leases in reuerfion, leases not reseruing the olde rent, sales of vvvoods, assurances, of landes of the kings gift, or auncient foundation vvithout the kings licence, made by any Abbots or Gouvernors of any religious houses, vvwhich vv ere before the making of the said stat. dissolved vvithin one yere next before the dissolution or comming to the Kings hands of the same houses.

Leases made
within the yere
to the olde
lessee.

II ¶ But if any Abbot, Prior, Abbess, Prioresse, or other gouernor or gouernesse aboue saide, vvithin one yere next before y first day of this Parliament, or if any late gouernor or gouernesse &c. vv in one yere next before any such dissolution or coming to the king of y premises, haue made any demise, lease, or graunt to any person for terme of yeres, of any manors, manors, lands, or other hereditaments also saide, vvich person at the time of y saide demise &c. had y same to ferme, for terme of yeres then not expired: When the said person to vvho any such demise &c. hath ben so made, shal haue y same for terme of xxi. yeres, onely from the time of the making of the said demise &c. if so many yeres be by the same demise &c. limited & expessed, or els for so many yeres, as in such demise bene expessed, so y the olde rent be thereupon reserued, & so y the same lease excēde not xxi. yeres. And if any Abbot, or other late gouernor or gouernesse, vv in one yere next before any such dissolution or coming vvnto y king of the premises, haue made any demise, lease or graunt, to any person or persons for terme of life or liues, of any manors, manors, lands, or other hereditaments also saide, vvich person or persons, or any of thē, at y time of the said demise, lease, or graunt, had & held y same for terme of life, or liues, or for terme of yeres then not expired: When the saide person or persons, to vvhome any such lease or graunt hath bene so made, shal haue and hold the same for terme of their life or liues, so that the olde rent be thereupon reserued. And all and singular leases, and graunts, made by copie to any person or persons, of any of the said mesuages, lands, tenements &c. or other hereditaments also saide, for terme of life or liues, vvich by the custome of the countrey hath bene bled to be demised, letten, or graunted by copie of court rolle, shal be good and effectuell in the lawe, so that the olde rent be reserued by & vvpon euery such lease and leases. This act &c. notwithstanding. 3 I. 8. 13,

Lease for life to
the olde lesse.

Grants by
copie.

12 ¶ Provided allwaies, that al leases heretofore made of any the premises, by auctoritie of the kings Court of augmentations, And al such leases, feoffements, and woode sales made by the sayde Governours or Gouvernelles, vnder the Count or common seale of any of them, within one yere next befoze the dissolution or coming to the king of the saide Monasteries or Ecclesiasticall houses, which said leases, graunts, feoffements, & woode sales, haue byn examined, inrolled, decreed, or affirmed in the kings court of Augmentations. And the decree of the same put in wryting, sealed with the seale of the said court, shalbe good & effectuell, accoꝝding to the same decree, any clause in this act &c. notwithstanding. 31. H. 8. 13.

Leases allowed and inrolled in the court of Augmentations.

13 ¶ All persons their heires & assignes, which sithe[n]ce the saide iii. day of February (viz. in An. 27. H. 8.) by Licence, Wardō, Confirmation, Release, Assent or consent of the king vnder his greates seale, heretofore giue[n] or made, or hereafter to be had or made, haue obtained or purchased by indenture, fine, feoffement, recouerie, or other wise, of the saide late Abbots, Bishops &c. or other Governours or Gouvernelles, of any such Monasteries, or other ecclesiastical houses, any Monasteries, Bishoprics, Colleges, Hospitals, manors, lands, or other hereditaments, shal haue & enioy the same, accoꝝding to such wrytinges and assurances as bene therof befoze the first day of this Parliament, or hereafter shal bee had or made. Saving to every person & persons and bodie[s] politique, their heires and successours (other then the saide late Abbots, Abbesses, and the successors of every of them, & such as pretende to be founders, patrons, or donors, of the saide Monasteries, or of any of them, or of any manors, messuages, or other hereditaments, late belonging to any of them, and the heires & successors of every such founder, patron, or donor,) all such right, title, interest, possessions, rents &c. & other profits, which any of them haue, ought, or mought haue had, in or to any the sayde monasteries, or other hereditamentes, at any time befoze any such purchase, indentures, fines, feoffements, recoveries &c. 31. H. 8. 13.

Assurances to others by the kings licence.

Other mens right saved.

14 ¶ An. 37. H. 8. 4. It is enacted, that al Colleges, Fræcha- pels, Chauntries, Hospitals, Fraternities, Brotherheades, Guilds, and Stipendarie Bishopricks, made to haue continuance for ever, and ought to be contributory to the paymēt of the first fruits & tenthes: And al the mansion houses, manors, landes, tenements, and other hereditaments, whatsover they be apperteyning, or that did appertaine, or were appointed to any such college &c. or other the saide promotions, or to any of them, or knowne or taken as parcel or member of any of them, & to the said Colleges &c. or to any of the buttred, which betweene the iii. of February, Anno 27. H. 8. and xv. Decembꝝ 37. H. 8. by reason of any entrie, expulsion, bargain, sale, lease,

All Colleges, Chauntre &c. in the disposition of king. H. 8

Monasteries &c.

feoffement, fine, recoverye, lease, or other conueiance thereof had, or made, be dissolved, relinquished or extincted (other then such of them as now be or were in possession of the king, or that bene graunted or assured by his licence, consent, or letters patents, to any other persons, or haue bene lawfully recovered by any person, by any former right, without fraude or conin, or by the kinges licence,) shall from henceforth be adjudged, & also be in the actual & real possession of the king, and of his heires & successours for euer, in as ample maner, as the said Priestes, Wardens, Masters, Ministers, Governours, Rulers, or other Incumbents or any of them, or the Patrons, donors, or founders of any of them, at any time sithence the saide fourth of Februarie. 27. H. 8. inioyed or now inioyeth y^e same, & as though al the said colleges, chauntries, hospitals, fræchappels, fraternities, brotherhoodes, guildes, & other the said promotions, & y^e said manors lands, tenements, hereditaments, & other the premisses and curie of them, were in this act perticularly and certainly named by expresse words. 37. H. 8. 4.

All Colleges,
Chauntries &c.
giuen to king
Edward the 6.
4. Nouemb. An.
Do. 1547.

Finding of a
Priest to con-
tinue for euer.

15 ¶ All Colleges, Fræchappels, and Chauntries, hauing being, or in Esse, within five yeres next before the first day of this Parliament (being the fourth of Nouember, Anno Do. 1547.) which were not in actual & real possession of the late king H. 8. nor of the king that now is (vz. E. 6.) nor excepted in the saide former act of 37. H. 8. other then such as by the kings commissions shalbe transposed or changed, & all manors, lands, & other hereditaments, belonging to any of them. And also all manors, lands, & other hereditaments by any maner of assurance, wil, deuise, or otherwise suffered, knowledged, giuen or appoynted to the finding of any Priest to haue continuance for euer, & wherewith any priest was maintained or founde within five yeres next before y^e first day of this Parliament, which were not in the actual & real possession of y^e said late king, nor of the king that now is. And also al annual rents & profits at any time within five yeres next before the beginning of this Parliament, employed towarde, or for the maintenance of any stipendarie Priest, intended by any act or writing to haue continuance for euer, shall immediately after the feast of Easter next coming (being 1. Aprillis, An. Do. 1548.) being adjudged & also be in the very actual & real possession and seisin of the king, his heires and successours for euer, without any office or other inquisition therof to be found, & in as ample maner as the Priestes, Wardens, Masters, Ministers, Governours, Rulers, & other incumbentes of any of the, at any time within five yeres next before the beginning of this Parliament, inioyed or now inioyeth the same, and as though all the sayde Colleges &c. and the saide landes, tenementes, hereditaments,

ments, and other the premisses and euerie of them, were in this act particularly reherſed by expreſſe names. But this act ſhall not extend to any landes appoynted for the finding of any Chauntrie, or ſtipendarie prieſt, which by any former and good title, were lawfully recouered from any ſuch prieſt, before 1. October. 37. H. 8. which landes were not chargeable to the payment of the perpetual tenth. 1. Ed. 6. 14.

Lands recouered fro a prieſt or Chauntrie.

16 ¶ Where any lands, tiſhes, penſions, portions, rents, profits, or other hereditaments, by any aſſurance, will, deuſe, or other wiſe, at any time heretofore made, were giuen, or appointed for the maintenance or finding of one prieſt, or of diuers prieſts, for terme of certayne yeres yet continuing, & that any prieſt hath ben maintained or found to the ſame, or with ſuch profits thereof, within v. yeres laſt paſt: The king from the ſaid feaſt of Eaſter next coming ſhall haue in euery behalf, during al ſuch time to come, euery ſuch things tenements, hereditaments, & profits, as the prieſt or prieſtes ought or ſhould haue had, for, or towarde his or their maintenance, & for no longer time, nor for any other profit thereof to be taken. And as ſone as ſuch time aſſigned for the maintenance of the prieſt or prieſtes ſhalbe expired: Then it ſhalbe lawfull to euery perſon, to whom any manors, lands, & other hereditaments ſhould haue belonged (if the ſaid former act & this act had neuer bene made) to enter into, & enjoy the ſame. without any Litterie, Diſſer le main, Deticion, or other ſuit to be made to ſuch king, in like maner to al intents, as though the ſaid former act, & this act had neuer ben made, & as though the king had neuer had any leiſin or poſſeſſion thereof. And the king ſhall haue all ſuch goods, cattels, ſuels, Plate, or namentes, & other mouables, as were or be the comon goods for enery ſuch College, Chauntrie, ſtre chappel, or ſtipendarie prieſt, belonging to the furniture of ſeruiſe, the propertie whercof was not changed before the 8. day of Decer, An. Do. 1547. And all ſuch debts as ſhould be paid of ſuch goods of any of the ſaide Colledges &c. due by any contract, ſpecialtie, or promiſe, made before the ſaid viii. day, ſhall be paid by the Treasorer of the court of Augmentations. 1. Ed. 6. 14.

finding of a prieſt for certayne yeres.

The goods of chauntries, ſtrechappels, &c.

The debts of chauntries, ſtrechappels.

17 ¶ The King, his heires and ſucceſſors, from the ſaide feaſt of Eaſter, ſhall haue and enjoy for euer al lands, tenements, rents, and other hereditamentes, which by any maner of aſſurance, will, deuſe, or other wiſe, at any time heretofore made, were giuen or appoynted to go, or to be employed wholly to the finding or maintenance of any annuerſarie, or obite, or other like thinge, or of any light or lampe in any Church or Chappell, to haue continuance for euer, which hath ben kept or maintained within five yeres next before the firſt dayes of this Parliament. But it ſhall not be lawfull

Annuerſaries, obits, lampes, lights.

Monasteries &c.

No recovery
for default of
obits, lampes,
lights.

Part of the is-
sues of lands
gint to the stu-
ding of obits
&c.

be lawfull to any person, bodie politique or corporate, by reason of any remainder, vse, or condition, to enter into, or challenge any lands, tenements, or hereditaments, for the not doing, not naming, or not finding of any priest or priests, or poore folkes, obite, anniuersarie, light, or lampe, to be founded or done, 1. Ed. 6. 14.

18 ¶ Where but one part of the reuenues of any landes, or other hereditaments, hath by any of the wayes abouesaide, bene appoynted to be bestowed to the maintenance of any anniuersary or obite, or other like thing, or of any lyght or lampe in any Church or Chappel, & to haue continuance for ever: Then the king shal from the said feast of Easter for ever, haue and enioy euery such summe of money, that in any one yere, within v. yeres next befoze the first day of this Parliament, hath bene bestowed about y^e maintenance of any such anniuersarie or obite, or other like thinge, or of any light or lampe, to him his heires & successours for ever, as a rent charge to be payed yerele at the feast of S. Michaell the Archangel, & the Annunciation of our Ladie, by euen portions. And it shal be lawfull to the kinge, his heires & successours for non payment of any such summe of money, to distreine in the said lands & tenementz of the issues and reuenues whereof, the said anniuersarie or obite, or other like thing, or any such light or lampe was mainteined, And for lacke of sufficient distress therein, by y^e space of one moneth next after that any of the said rents should be payed, & be not payed within the said moneth: Then it shalbe lawfull to the king his heire; and successours to enter into, & possesse as much of the landes &c. whereof the saide rent should be payed, as the rent that should be payed out of the same shall come to in yerele value, and the same &c. to hold and keepe for ever, or for such estate, as the king his heires & successours, had, or ought to haue had in the said rent. 1. Ed. 6. 14.

Money giuen
to y^e finding of
a priest, obite,
light, lampe, by
a Corporation.

19 ¶ The King, his heires and successours, shal from the saide feast of Easter, haue and enioy, all such summes of money, profits and commodities, which by vertue of any conueiance, composition, will, deuise, or other wise, heretofore haue bene giuen or appoynted to haue continuance for euery, which in any one yere, within five yeres next befoze the beginning of this Parliament, haue bene bestowed by any Corporation, guyldes, fraternities, companies, or felowships of misteries, or any of them, or by the Masters, wardens, Gouernours, or other officers, or by the Master &c. of any of them, about the maintenance of any Priest, anniuersarie, obite, lampe or light, or other like thinge to be payed yerele, as a rent charge at the feast of S. Michael, & the Annunciation of our Lady by euen portions. And it shalbe lawfull to y^e king, his heires & successours for non payment of any such summe of money, profit, or commodity, to dis-

to distraine in al manors, lands, & tenements of every such crafts, corporations &c. or any of them, by whom, or by the wardens masters &c. of the which, any such summe of money, profit, or commodities have bene paid or employed. And every of the said summes of money profits & commodities, shal from the said feast of Easter, without any inquisition or office to be found, be iudged to be in the actual and real possession of the king &c. 1. Ed. 6. 14.

20 ¶ The king shall from the sayd feast of Easter, have & enjoy to him, his heires and successours for ever, all fraternities, brotherhoodes, & gylde, being within any of his dominions, & al manors, lands, tenements, & other hereditaments, belonging to any of them, other then such corporations, guildes, fraternities, companies, and fellowships of misteries, or crafts, & the manors, lands, tenements, or other hereditaments pertaining to them aboue mencioned. And the same shalbe iudged in the actual & real possession of the king, his heires & successours, from the said feast of Easter for ever, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

Fraternities
brotherhoods,
guildes, given
to the king.

21 ¶ This act shall not extende to any Colledge, Hostell, or Hall, being within either of the universities of Cambridge & Oxford, nor to any Chauntry founded in any of the Colledges, Hostelles or Halls, beinge in the same Universities, nor to the frechappell of Saint George situate in the Castell of Windsor, nor to Saint Mary Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham, nor to y^e colledge of Eaton, nor to the Chappell in the Sea in Pewton, within the Isle of Elye, in the countie of Cambridge, nor to any manors, lands, tenementes, or hereditaments, to any of them belonginge. Nor to any Chappell or depnyed for the ease of the people, dwellinge distant from the parish Church, or such like Chappell, whereunto no more lands or tenements, then the Churchparde, or a little house, or close doth belonge. Nor to any Cathedral Church, or Colledge, where a Bishoppes See is, within Englande, or in Wales, nor to the landes, tenementes, or other hereditamentes of any of the, other then to such chauntries, obites, lightes and lampes, or any of them, as at any tyme within syue yerres, next befoze y^e beginning of this Parliament, have bene had, used, or mayntayned, within any of the sayd Cathedral Churches, or the issues, reuenues, or profits of any of the said Cathedral churches, to which chauntries, obites, lightes, and lampes, this act shall extende. And the kinge at any tyme (during his life) may alter the names of al Chauntries, and the foundations of the same, beinge in any of the colledges, hostelles, or hales, of any of the sayd Universities. And also may geue auctoritie to certayne Commissioners, to alter the nature and condition of al obites, aswell within the Uni-

Colledges and
chauntries with
in the universi-
ties
Windsor
colledge
Winchester
colledge
Eaton colledge
Chappell in
the sea.

Chappell of
sale.

Cathedral
church or col-
ledge.

Monasteries &c.

Corporations
of Cities, Bo-
roughs &c.

Cobham.
Artilborough

Lands wherof
the governours
were seized to
their own uses

Pensions, &c.
summes of mo-
ney giue by the
king.

Coppyhold lands.

Other mens
rights lamed.

versities of Oxforde and Cambridge, as in any other place within England and Wales, being not suppressed ne annihilated by vertue of this act, and the same obites so altered to dispose to a better use, as to the reliefe of poore Students, or otherwise. Neither shall this act be prejudicial to the general corporation of any City, Borough, or towne within any the kings dominions. Ne shall extend to any lands, or hereditaments of any of them. Neither shall this act preiudice the Lord Cobham &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither shall it extend to the Chauntry or Colledge of Artilborough in Norfolk which king H. 8. gaue to the Earle of Suffre and his heires. 1. Ed. 6. 14.

22 ¶ This act shall not extend to any landes, or other hereditaments, which the said Masters, Wardens, Ministers, Chauntrie Priests, incumbents, or other the said Governours or officers of the premisses, haue in fee simple, fee faine, generall, or speciall, for terme of life, terme of yeres, or other wise to their own proper uses, by inheritance, or purchase, & not being at any time annexed to their said Colledges, free chappels, chauntries, or other the premisses. Nor shall extend to any manors, lands, tenements, possessions, rentes, annuities, & pecerly pensions, or to any pecerly summes of money being not parcel of any of the said Colledges, & other the premisses heretofore geuen by the said late King, or geuen or hereafter to be geuen by the king our soueraigne Lord (viz. Ed. 6.) to any of the sayd Deanes, Masters, Wardens, Ministers, Chauntrie priests, Incumbents, Governours, or Rulers of the premisses, for terme of life only, vnder his great seale or other seale. 1. Ed. 6. 14.

23 ¶ Neither shall this act extend to any lands, or other hereditaments that any Master, Deane, Prebendarie, Warden, or Chauntrie, or any stipendary Priest of any Colledge, or other corporations, haue or helde of any person, by copy of Court rolle, or at will, according to the custome of any manor, nor geue any coppyhold lands to the king, but euery of the said persons shall enioy the same during their lines, towarde their pension, & pecerly luying, paying their rents & doing their customes & seruices thereof due. 1. Ed. 6. 14.

24 ¶ Having to al persons bodie polittique, and corporate, their heires and successours (other then the Masters, Wardens, Ministers, Governours, Rulers, Priests, Incumbents, Fellowes, and Brethren of the sayd Colledges, Chauntries, free Chappelles, and other the premisses, geuen to the king by this act, and the successours of euery of them, and other then such as be, or pretende to be founders, patrons, or donors of the premisses, or any of them, & the heires, successours, and assignes of euery of them, & other then such as be or were scoffers, recoverers, consellers, graunters, or deuplers of any

of any of the premisses, to, or for any of the uses above mentioned, or to the use of any of the said colleges, free chappelles, chauntries, or other the premisses, given by this act to the king, or to the intent to employ the rentes or profits thereof, to the use of the masters, rulers, incumbentes, or ministers, of any of them, & other then such as pretend to have estate, right, title, interest, use, possession, or condition, of, in, or to the premisses or any parcel thereof, by reason of any scoffement, fine, bargain, and sale, or by any other meanes, or conveyance to them made of any estate of inheritance, without the sayde late kinges licence, or agreement; and without the licence or agreement of the kings maiestie that now is, by anye of the sayde deanes, masters, wardens, gouvernours, rulers, priests, or incumbentes, or by the founders, donors, or patrons of anye of them) all such right, title, claime, possession, interests, rents, annuities, commodities, commons, offices, fees, leases, liveries, livings, pensions, portions, debtes, duties, and other profits, which they or any of the lawfully have, or of right ought to have, or might have had in anye of the premisses, or in any parcell thereof, in such lyke manner, to all intents, as if this act had never bene made, and as though the sayd chauntries, colleges, and other the sayde promotions, had still remained in their full beinge. And saving to everie patron, donour, founder, or gouvernor of any such college, chauntie, free chappell, stipendarie priests, and other the premisses, given to the kinge by this acte, and the donour, scoffor, and geuer of the foresaid lands, tenements, or hereditaments to them, or anye of them, or to any uses or purposes befoze mentioned, all such rent services, rentes secke, rentes charge, fees, annuities, profits, and offices, and also leases for terme of lines and yeares, whereuppon the accustomed rent or more is reserved, as they or anye of them lawfully had and enjoyed of any the said promotions, or out of any the said lands, tenementes, or hereditamentes, befoze the first day of this parliament. 1. Ed. 6. 14..

25 ¶ As wel every patron, donor, founder, and geuer of any of the said promotions or premisses, or geuer, donor, or scoffor of anye their lads, or other hereditaments, as every person which befoze the making of this act lawfully had any rent or other verely profits of any chauntries, colleges, free chappelles, or other the premisses, or out of any lands, or other possessions of any of them, shall enjoy the same in like manner, as they ought to have done, if the said colleges &c. & other the premisses, had still continued in esse. 1. Ed. 6. 14.

26 ¶ If any of the sayd masters, wardens, ministers, rulers, gouvernours, priests, incumbentes, or owners of any such college, chauntie, free chappell, or of any the premisses given to the kyng

All rents &c. reserved.

Leases not reserved. securing the olde rent.

CC. 15.

by this

Monasteries &c.

by this act, sithen 23. Nouemb. in 37. H. 8. haue made any lease vnder their comon seale, or otherwise for terme of yeares, life, or liues, of their said colledges, chauntries, free chappels, or of other the premises, or of any landes or hereditaments to any of them annered or appertaining, vpon the which leases the vsual and olde rents and seruices accustomed to be yelded and reserved, or moze, by the space of twety yeres next befoze the said 23. day of Nouember, be not reserved and yelden, the same shalbe utterly void. And all other leases and grauntes heretofore made, of anye the premises geuen to the king by this act, shalbe as good and effectual in the lawe to al intets, as if this act had neuer bene made, this act or any other act &c. notwithstanding. 1. Ed. 6. 14.

All other leases
good.

27 ¶ All such tenthes, seruices, issues, profits, & other summes of money payable out of, or for the premises in the Eschequer shal continue, & be yerely paid in the same court, in the same maner, as heretofore hath bene vsed, any lawe, custome, vnicie of possession in y king or other thing &c. notwithstanding, & as though the said promotions, lands, and other the premises, had not come to the kings hands. 1. Ed. 6. 14.

Assurances
made by the
king, or by his
licence,

28 ¶ All letters patentes made by king H. 8. or by the kyngs that nowe is, or hereafter to be made by his highnesse to anye person, or to any Archbyschoppe or Byschoppe, of any of the sayd Colledges, Chauntries, free chappelles, or other the premises, or any parcell of them, or of any landes, tenements, or hereditaments, belonging, or that did belong to any of them, and all fines, gystes, grauntes, seoffements, recoveries, and all other assurances thereof made, by the consent or lycence (vnder the great seale of England) of the said late king H. 8. or of the king that nowe is, to anye person, body politique or corporate, by any chauntre priest, master, warden, minister, ruler, and gouernour, or other, hauing any of the said promotions of any of the sayd colledges, chauntries, free chappels, or other the premises, or of any part of the same, shall stande in their forces, and shalbe good and effectual in the lawe for such estates and interestes geuen or appointed in any of the gistes or conueyances thereof made, accordinge to their purpotes, forme, and matter, and according to the true meanyng of the same assurances, and shalbe good and auaylable aswell agaynst the kyng, his heires and successours, as agaynst the said Chauntre priests, warden, Masters, Rulers, Gouernours, and other hauing any of the said promotions, and their successours, as also agaynst the foundes, donors, and patrons of the same, and the ordinary of them, and the heires and successours of euery of them, any lawe, statute &c. notwithstanding. 1. Ed. 6. 14.

29. ¶ All giftes and grauntes heretofore made, to the said kinge H. 8. and to his heires, or to the king that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasorer, Prebendary, Master, Monast, Gouvernour, or other spirituall person, or by any patron, donoz, or founder of any of the said Deanries, Chauntries, or other of the sayd spirituall promotions, or of any of the manors, landes, or other hereditaments or commodities, to any of the said benefices, offices, prebendes, or dignities belonging or annexed, or which any of the said Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Masters, Monastes, Prebendaries, Rulers, Gouvernors, or Ministers, Patrons, Founders, or Donors, had, have, or ought to have in their right, or by reason of any of the same offices or dignities, shalbe good and effectual in the law to al Intents. Saving to every person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouvernors, Wardens, Monastes, Spuers, and Graunters of any of the premises, and their heires, successors and assignes. And other then such Ecclesiasticall persones, bodies politiqu or corporate, as are, or pretend to be founders, donors, patrons, or ordinaries of the premises) all such rightes, titles, profits, landes, tenementes, and hereditamentes, as any of them have, or ought to have had, in, or to any of the premises next above mencioned, as if this acte had not bene made. But this act shal not extende to make good any gyft, graunt, sale, or alpenation, made by any Parson, or Vicar of their parsonages or vicarages, or of any parcel thereof, or of any thing to any of them belonging. I. Ed. 6. 14.

A confirmation of al grauntes made to the king.

Other mens rightes saved.

Parson, Vicar

30. ¶ All grauntes, licences, confirmations, and letters Patentes, which king H. 8. or the kinge that now is, have made under the great seale of England, to any person or persons, or bodies politiqu or corporate of any Colledge, Chappel, or Chauntre now being in Esse or not, or of any lands, tenements, and hereditaments appertaining to any of them, or of any other thing expessed in this act: And every matter and thing contained in any such graunt, licence, confirmation, or letters patents, shalbe adiudged good and effectual in the lawe, according to the wordes, sentences, meanings, forme, and effects of the same grauntes &c. to all intentes, as if this act, and the said act made (37. H. 8.) had never bene made. And thys act, and the said act made 37. H. 8. or any article, sentence, or other thing therein contained shal not extend to any Colledges, Chappels, Chauntries, or other thinges mencioned in this act, now being in Esse, or not, or to any lands, tenements, or hereditaments appertaining to any of the, or to any other thing expessed in this act, which any person, bodie, politiqu, or corporat, have obtained by the assent, licence,

A confirmation of letters patents made by king H. 8. and king Ed. 6.

This extendeth not to lands graunted by the king.

Monasteries &c.

licence, confirmation, graunt oꝛ letters patentes of y^e said late king, oꝛ of the king that now is: shal extend to any lands tenements, hereditaments, oꝛ other things contained in any such letters patentes &c. but euery such person &c. shal haue and enioy the same Colledges &c. landes &c. and euery other thinge whatsoeuer so by them obteyned, according to the wordes and intent of the same lycences, confirmations, grauntes, and letters patentes. This act oꝛ the said act made 37. H. 8. oꝛ any clause oꝛ thinge contayned in any of the same actes &c. notwithstanding. 1. Ed. 6. 14.

A confirmation
of al abbes,
chauntre &c.
lands to the
Queene and
other persons

31 ¶ Aswell the Quene's maiestie her heires and successors as also all and euery other person and persons, bodies politique and corporat, their heires, successors and assignes, now hauing, oꝛ that hereafter shal haue any of the Scites of the late monasteries, oꝛ other religious oꝛ ecclesiasticall houses oꝛ places, and the Manours, Graunges, Meluages, landes, tenementes, tythes &c. and other possessions and hereditamentes of the sayed late Monasteries, Abbeys, Priories, Pinneries, Commuondries, Deanries, Colledges, Decandres, Hospitales, houses of fryers, Rectories, Vicarages, Chauntries, Churches, Chappelles, Archbishopricks, Bishopricks, and other religious and ecclesiasticall houses, oꝛ late belonging oꝛ appointed to and foꝛ the finding of Priests, obites, lights, oꝛ other lyke purpose, oꝛ any of them which came to the handes of the late king H. 8. by dissolution, gift, graunt, surrender, attainer, oꝛ other wise, oꝛ to the handes of king Ed. the 6. by vertue of y^e sayed act made 1. Ed. 6. oꝛ other wise, oꝛ to the handes and possessions of other persons &c. by sundry meanes and assuraunces, shal haue, keepe and enioy all and euery the sayed Scites, landes, tenementes, and other hereditamentes according to such estates as euerie of them now haue, oꝛ hereafter shal haue in the same by the due course of the lawes and statutes of this realme, now in force. And euerie article, clause, sentence, and prouiso, conteyned in any act, oꝛ actes of Parliament, concerning the assuraunce of the said Monasteries, Priories, Colledges, Chauntries &c. and other religious and ecclesiasticall houses and places, oꝛ in any wise concerning any manours, landes &c. oꝛ other thinges before specified to the sayd kinge Henry the eyght, oꝛ king Edward the sixt, oꝛ any other person oꝛ persons, oꝛ bodie politique, oꝛ corporat, and euery wytynge, dede, and instrument, concerninge the assurance of any of the same, shall remayne in force, and bee pleaded, and taken aduantage of, to all intentes, as the same myght oꝛ coulde haue bene by the lawes and statutes of thys Realme. And all scoffementes, fines, surrenders, forsaitures, conueyances, and interestes in any wyse conueyed, oꝛ made to king Henry the eyght, oꝛ to king Ed. 6. oꝛ either of

of them, or to any other person, body politique, or corporat by dede, or act of parliament or otherwise, of any the scites, manors, lands &c. or hereditaments of any of the said Archbishops, Bishops, Monasteries, Priories, &c. or of any manors, lands &c. or any other hereditaments of, by, or from any ecclesiasticall person, or persons, or by or from any spiritual or ecclesiasticall corporation, or body politique, shal be good and available in the lawe to al intents, and shalbe pleaded and taken aduantage of: And euery clause and artycle of Sauing conteyned in euery of the sayd statutes shal remaine in such force and effect, as they were befoze the first day of the parliament holden 1. & 2. P. & M. anye thinge conteyned in the acte then made, repealing all statutes, articles and promyses made against the Sea of Rome since the twentieth yere of king Henry the vyght in any wise notwithstanding. And whosoever shall, by proces obteyned out of any ecclesiasticall court within this realme, or without, or by pretence of any spiritual iurisdiction, or otherwise, contrarpe to the lawes of this realme, molest any person or body politique, for anye of the lands, tenements, hereditaments, or other things aboue specified, contrary to the words, sentence, & meaning of this act, shall incurre the danger of the act of Premunire, made 16. R. 2. and shal suffer & incurre the forfeitures, & paines contained in the same. 1. & 2. P. & M. 8. 1. Cl. 1.

1 ¶ That religious persons professed, vvere inabled to inherite, purchase, sue, and to be sued. S. Abilitie. 3.

2 That those Abbey lands, vvhich were discharged of tythes, shall so remaine. S. Tythes. 42.

3 That all religious houses shalbe vvithin the visitation of the ordinary vvithin vvhole dioces they are situat. S. Ordinary. 3.

4 For the tenthes reserued vppon Abbey lands & the remedy for recouery of them. S. Tenthes.

5 For tenures reserued vpon Abbey landes. S. Tenures. 4. 5.

¶ Money.

W^hosoever doth exchange any coigned Golde, coigned siluer, or money, geuing, paying, or receiuing any more in value, benefit, or aduantage for it, then the same is or shalbe declared, by the Quéenes proclamatiō to be currāt for vvithin this realme, or other her graces dominions, shal for. the same golde, siluer, and money, to the R. & J. to be rec. by A. J. &c. wherein no M. C. P. &c. & suffer imprisonment by the space of a yere, & also make fine at y^e Quéenes pleasure. 5. Ed. 6. 19. 25. Ed. 3. 12.

2 ¶ If any person inhabiting within this Realme, doth paye or wittingly deliuer by way of exchange, or otherwise, or any mer-
Geuing or receiuing for money more then it is currant.
Dayment of money to a merchant.

CC. iij.

chant

Money.

chant or other persō, boz ne out of the M. obellance, for any merchā, dize, wares, or in any other wise any peeces of golde cōyned in this realme or any other realme, or any plate, vessels, masse, bullion, or fuel of gold wrought or unwrought, he shal forf. & double sūme or value of al such money, golde, plate &c. to the M. & J. that wil leise or sue for the same, by A. B. &c. after the custome of the Citty, port, or towne where it shal happen any forsaiture to fall, or by infozmatis in the Eschequer, wherein no D. C. &c. 4. H. 7. 23.

Carrying of Gold, or silver.

3 ¶ Whosoever doth send or carrie out of the realme of England, any golde, or silver in money, bullion, plate, or vessel, wōut the Quēnes licence, saving for his reasonable expences. 2. H. 4. 5. shal forf. the value of the same so carried forf. 9. Ed. 3. 1. 5. R. 2. 2. except ransomes for fines of English prisoners taken beyōd the sea, & the money that souldiers shal carry wō them for their reasonable costs, & money for hōsles, oren, shēpe, & other things bought in Scotland, to be brought & carried to the parties adjoining. So that the money to be sent for the fines of the said prisoners, or to be carried by the souldiers, be not done without the Quēnes licence. 2. H. 6. 6. And he which is bpō his passage, in any ship or vessel for to go out of any port, haven, or crēke, shal immediatly confesse & declare after warning to him geuen by the Quēnes Searchour, what golde or silver in coine or masse he hath with him for his expences, or els that money so concealed shalbe also forf. to the Quēne. 2. H. 4. 5.

Money carried into Ireland.

4 ¶ No person shal carrie nor conuey, nor cause to be carried out of this realme any bullion, plate or coine of golde or silver into Ireland, aboue the summe of vi. s. viij. d. nor conuey any such Bullion, plate or coine into any ship, boate, or other vessels, bpō paine of forsaiture of the said bullion, plate, or coine, and of imprisonment, and fine at the Quēnes pleasure. 19. H. 7. 5.

Irish money brought into England.

5 ¶ No person shal bring or conuey, nor cause to be brought any coine of Golde or silver, aboue the summe of liij. s. liij. d. of the coine of Ireland into this realme, vpon paine to forsaite al the same coine aboue liij. s. forwer pence, and to haue imprisonment and make fyne at the Quēnes pleasure. And it is lawfull to any of y^e Quēnes subiects, to seyse y^e Irish money brought into this realme, and to bring it to the Quēnes mint, & there hee shal haue the value of halfe such money deliuered to him, to his owne vse, by the Master of y^e mint. 19. H. 7. 5.

Refusing small money.

6 ¶ Whosoever in buying and selling, will presume to refuse a halfe peny, or a farthing, beeing of lawfull metall, and hanninge the fourme and fashon which it ought to haue, shal bee taken as a contemptour of the Quēnes Maiestie, shal be thrust in prison, and set vpon the Whilozie. 12. H. 3.

I ¶ For

1 For the Forging, clipping, washing, skaling, or bringing in of any forged money. S. Treason. 1. 2. 3. 4. 5.

¶ Mortdauncester.

¶ If a man do die and haue diuers heires, whereof one is sonne or daughter, brother or sister, Nephewe or Niece, & y other be further in degree, al the heires shal haue their recovery by writ of Mortdauncester. Gloucester. 6. Ed. 1. 6.

1 ¶ Where dammages shalbe recouered in Mortdauncester. S. Damgages. 42.

2 Mortdauncester for the heire being vwrongfully kept or put out of his inheritance by his chiefe Lord. S. Wardes. 9.

¶ Mortmaine.

¶ If any religious person, or other whatsoeuer, will buy or sell, any lands or tenemets, or wil receiue the same by colour of any gift or lease, or by reaso of any other title whatsoeuer, or wil by other practice, or deuise, procure the same to him selfe, wherby such lads or tenemets may come into mortmaine, he shal forfe. y sae lands. Mag. cart. 9. H. 3. 36. 7. Ed. 1. And if any religious, or other spiritual persō both take y profits of any lads, tenemets, fees, aduowsons, or of any maner of possessōs, wherof any other is seised by feffemēt, or any other way to his vse, to y intent to amortice the sae, he shal forfe. the same according to the forme of the foresaid statute. 15. R. 2. 5.

Lands purchas-
ed in mort-
maine.

Assurance of
lands to vles in
mortmaine.

2 ¶ It is lawfull for the Quene, or any other chiefe lord of y sae immediate to enter into the land so aliened, within a yere after the alienation, and to hold it in fee as his owne inheritance. And if the chiefe Lord be negligent, & wil not enter into his fee within y yere, then it is lawfull to the next immediat Lord of the same fee, to enter vpon the same fee wīn halfe a yere then next following, & to hold it as aforesaid. And so euery chiefe lord immediat may enter vpon the sae, if the next immediat lord be slacke in so doing. And if al y chiefe lords of such fees being of ful age, within the folwer Seas, and out of ysa, be negligent, or slacke in their entrie, by the space of a yere & a halfe, y M. maiestie may take y same landes, or tenements into her hāds immediatly after the yeres end y such purchases, gifts, or appropriations shalbe made, & shal enfeoffe some other therin, by certain seruices done to her for y defence of the realme, sauīng to the chiefe lords of y fees their wards, eschetes, & other seruices, thcrunto due & accustomed. 7 Ed. 1.

The chiefe lord
enter vpon ali-
enation in mort-
maine.

The Quenes
entrie.

3 ¶ If any religious person, vicar, or other spirituall person, doe enter into any landes or tenementes which bee adioyninge to his Church, and of the same landes by sufferance, and assent of the

Lands implead-
ed to a church
yard or geuen
to a Guild.

tenants

Mortmaine.

tenants, doth make a Churchyard & burial place for his parish, without the licence of the Quene & the chiefe lord of the fee, it is mortmaine, & he is within the compasse of the foresaid statute. And so is it of all lands, tenements, & other possessions, purchased to the use of any Guildes or fraternities. 15. R. 2. 5.

Lands purchased to the use of a Corporation.

4 ¶ If any Mayor, Bailiffe, & commons of any Citty, Borough, or town which hath a perpetual continualltie, or other which hath an office perpetual, do purchase to them & their commons, or to them & their office, or if any other do purchase to their use, and they thereof take the profits, it is mortmaine, & they are within the danger of the foresaid statute of 7. Ed. 1. 15. R. 2. 5.

Mortmaine upon recovery by default.

5 ¶ If a religious or ecclesiastical person do impleade any other, & the party impleaded maketh default wherby he ought to lose the land, it shall be inquired by the countie, whether the demandant hath right in the thing demanded or no, & if it be found that the demandant hath right, Judgement shall passe with him, & he shall recover seisin. And if he hath no right, the land shall accrue to the next lord of the fee, if he demand it within a yere after the enquest taken. And if he doth not demand it within a yere, it shall accrue to the next lord above, if he demand it within halfe a yere, after the same yere. And so every lord after the next lord immediat, shall have halfe a yere to demand it successively, until it come to the Quene, to whom through the default of other lordes the land shall accrue. And after judgement given, the land shall remaine in the Quenes hand, until it be redeemed by the demandant, or some other chiefe Lord. And every chiefe Lord of the fee shall be admitted to challenge the Jurors of the enquest, and every one that will, may challenge them for the Quene. West. 2. 13. Ed. 1. 31.

Challenge.

Assurance of lands to Churches.

6 ¶ All Feoffementes, fines, recoveries, willes, and other estates, & assurances devised, couenaunted, or defined, or in anye wyse made of trust, of any manors, lands, tenements, or hereditaments to the use of any parish churches, chappels, churchwardens, guildes, fraternities, or brotherhoodes, erected or made of devotion, or by common assent of the people without any corporation, or to the uses & intents, to have obites perpetual, or a continual service of a priest for ever, or for iii. score or foure score yeres found of the profits of the same lands &c. or the profits, comings, recoveries, or other persons, & their heires thereof seised shall take, leuie or perceive, or cause or suffer to be taken, leuied, & perceived the issues & profits thereof, & the same to dispose or otherwise imploy, or suffer or cause to be paid, disposed or imployed to any of the foresaid uses, or to any of the like uses, shall be utterly void. 23. H. 8. 10.

7 ¶ But it is lawful to every person, being seised of any manors, lands,

landes, tenementes, or hereditamentes to his owne proper vse, or hauing feoffees, Recoueries, or conuises, to his vse, to make, ordeine or deuise, or cause to be made &c. any of the vses, intents, or purposes aboue specified in such manner as they might haue done befoze the making of this act, so that no such vses &c. be made or appointed to endure by any craft, wordes, or other meanes, aboue the terme of xx. yerres next after the first making and beginning of any such vses &c. 23. H. 8. 10.

Assurance of
lands to chur-
ches &c. to, &c.
yerres.

8 ¶ If any person in defraude of this statute, doth binde or ordeyne any of his heires or successours, or any other persons that they shal suffer such vses, intents, or purposes, to contynue contrarie to this statut, vpon payne of losse of any other landes, or of any other thinge, or doe deuise by any colour, craft, or meanes, any thinge to make such vses declared contrarie to the meaninge of this act, to contynue for any longer tyme then is aboue lyMITTED for the same: Then euery such penaltie, craft, colour, and euery other thinge that is made or deuysed in defraud of this act, shalbe vtterly voyde, for this statute shalbe interpreted as beneficially as may bee, to the distraction and vtter auoiding of the vses aboue remembred, and of al other lyke. 23. H. 8. 10.

Collateral assu-
rances in d. statu-
ting of this
statute.

9 ¶ But this act is not preiudicial to the custome of any City or towne corporat, where by their auncient customes they haue authority to deuise the lands &c. within the sae cities or towne into mortmaine. Neither shal it be preiudicial to y^e deuises made by the executors of the willes of Robert Hannis, and John Terric of the Citye of Norwiche &c. 23. H. 8. 10.

Customes in
Cities to be-
uise in mort-
maine.

10 ¶ But notwithstanding any of the foresayde statutes, or any other statute, lawe, or custome, it is lawfull for euery person, which is seised of any manors, landes, tenementes, or other hereditaments in fee simple, in possession, reuerision or remainder holden in free socage of the Quene, or any other person or body politique in his owne right & to his owne vse, for & during y^e space of xx. yerres (to be accounted fro y^e 8. of February. An. Do. 1575) to make seffementes graunts or any other assurances, or by his last wil in writinge to geue and bequeath in fee simple, al or any part of the saide lads, tenementes or hereditaments, to any bodie politique, or corporat, and their successours now erected, or hereafter to be erected, or to any other person & their heires, to and for the prouision, sustentation, or maintenance of any of the houses of correction, or abiding houses prouided for certein offenders, or of any stockes or stores for poore people, without any lytce of mortmaine therein to be obtained, or any writ of Ad quod dampnum to be sued out for the same. But the reits & seruices due to y^e Q. and other chiefe Lords of the fee, going out of the same landes, shalbe to

Lands geuen
for the maine-
nance of houses
of correction, or
of poore people
stockes.

Mortuaries.

to them saued and reserved. 1 S. Cl. 3.

¶ Mortuaries

But one mortuarie for any person, & that but in accustomed places.

NO Mortuarie, or Cozle present, shalbe geuen or demaunded of any person, but only in such place, where heretofore mortuaries haue bene vsed to be paid & geuen, Noz any person shal pay mortuaries in moze places then one, that is to say in the place of his most dwelling, & habitation, & there but one mortuarie. 21. H. 8. 6.

No mortuary where y goods be vnder tenne markes. The duty for al mortuaries.

20 ¶ No mortuarie shalbe take or demaunded of any persō what soeuer he be, which at y time of his death hath in mouable goods vnder the value of r. marks. 21. H. 8. 6.

3 ¶ No Person, vicar, curat, or other spiritual person, noz any of their Farmers, Bailifes, or lessees, shal for any persō dying or dead & beinge at the time of his death of the value in mouable goods of r. markes, or moze, aboue his debts paid, & vnder y summe of rrr. li. take for a mortuary aboue iii. s. iii. d. in the whole, And for a person being at y time of his death of y value of rrr. li. aboue his debt paid in mouable goods, & vnder y value of xl. li. there shall no moze be taken for a mortuarie then vi. s. viii. d. in y whole. And for a persō hauing at y time of his death of y value in mouable goods of xl. li. or aboue, to any sume, aboue his debts paid, there shal no moze be take &c. for a mortuarie, then r. s. in y whole 21. H. 8. 6.

These shal pay no mortuaries.

4 ¶ No Vicar, Parson, Curat &c. or other shal take demaund or aske any mortuary, or other thing by way of mortuary for any woman being couert Barō, noz for any child, or any persō not keepinge house, noz also for any waifairing man, or other y maketh not residence in y place where the y shal happen to die. But y mortuary of such waifairing persōs shalbe answerable (in places where mortuaries be accustomed to be paid, & in maner for me, & rate before mentioned, & none otherwise) in y places where such waifairing persōs, at y time of their death, had their most habitation house, & dwelling places, and no where els. 21. H. 8. 6.

Mortuaries in wales Bar. wike and the marches of the

5 ¶ No mortuaries noz Cozle presents, noz any sume of money or other thing for the, shalbe demaunded or had in y parties of wales, noz in the marches of the s̄e, noz in y towne of Berwicke, noz marches of y same, but only in such places where mortuaries haue bene accustomed to be paid, neither shal any mortuaries noz cozle present noz any thing of the be demaunded or had in those places, but onely after the order, & maner aboue specified, & none other wise, noz of any other person then is aboue limited. But it is lawful to the Bishoppes of Bangour, Landasse, Saint Dauides, and Saint Asse, & likewise to the Arche deacon of Chester, to take such mortuaries of the priests within their Dioces, & Jurisdictions, as heretofore haue bene accustomed. 21. H. 8. 6.

6 ¶ No person ſhalbe compelled in ſuch places (where mortuaries haue bene accuſtomed to be taken, of leſſe value then is aforeſaid) to pay any other mortuaries, or more for any mortuarie then hath bene accuſtomed, nor any mortuarie ſhalbe demaunded, taken or had, in ſuch place, of any perſon or perſons except by this acte, nor contrary to this act. 21. H. 8. 6.

Mortuaries of leſſe value by Cuſtome.

7 ¶ If any Perſon, Vicar, Curat or other ſpiritual perſon, or their Farmors, Baſſifes, or Leſſes, do take, receiue, or demaund of any perſon w^{thin} this realme, for any perſon dying w^{thin} the ſaie, any mortuarie or Coſe preſent, or any ſomme of money or any other thing for y^e ſame, more then is befoze mentioned, or do couent, or call any perſon or perſons befoze any Iudge ſpiritual for the recouery of any ſuch mortuaries or Coſe preſents, or any other thing for the ſame more th^e is befoze m^etioned, he ſhal forfeit, for every time ſo demaunding, receiuing, taking, couenting, or calling &c. ſo much in value, as he ſhal take aboue y^e ſumme befoze limited, & alſo xl. s. to y^e party grieved, contrary to this act, to be rec. by A. J. &c. wherin no W. &c. C. ¶ But it is lawful for any ſpiritual perſon to take any ſumme of money, or other thing which by any perſon dying ſhalbe geuen or bequeathed to him, or to y^e high alter of the Church. 21. H. 8. 6.

He forfeit for demaunding more then his due.

A legacy geuen to a ſpiritual perſon.

1 That where mortuaries be demaunded in a ſpiritual court, the Queenes prohibition doth not lie. S. Prohibition. 1.

2 That fraudulent deedes to defeate other of their mortuaries be void. S. Fraudulent deedes. 1.

¶ Murder, & Manſlaughter.

¶ If any perſon be Murdered or ſlaine in the day, & the Murderer eſcape vntaken, the towneſhip where y^e ſaie deede is done ſhalbe amerced for the ſaie eſcape. 3. H. 7. 1.

Eſcape of a murderer.

2 ¶ If any man be ſlaine or murdered, & the ſleas, murderers, abbettozs, mainteinozs, and comforters of y^e ſame be indicted there, y^e ſaie ſleas & murderers & all other accessories of y^e ſaie, ſhalbe arraigned & determined of y^e ſame felony & murder at any time, at y^e Queenes ſuit, w^{thin} y^e pere after y^e ſame felony & murder done, & not tarry the pere & day for any appeale to be take for the ſame felony or murder. 3. H. 7. 1.

Murderer arraigned at the Queenes ſuit.

3 ¶ If any perſon ſo named as principal or accessory, be acquitted of any ſuch murder at y^e Queenes ſuit w^{thin} the pere & day, then y^e Juſtices befoze whom hee is acquitted, ſhall not ſuffer him to go at large, but eyther ſhal remitt him againe to priſon, or elſe let him to baile after their diſcretion, til the pere & day be paſſed. And if the ſaie felos, murderers, & accessories or any of the ſo arraigned, be acquitted, or y^e principal of y^e ſaie felony or any of the be attainted: The wiſe,

Arraignmēt of him, which is acquitted at the Queenes ſuit.

or

Murder, and Manslaughter.

or next heire to him so slain as shal require, may take their appeal of the same death & murder, within the yere & day, after the same felony and murder done, against the said persons so arraigned & acquit, and al other their accessaries or against the accessaries of the said principal, or any of them so attainted, or against the said principals so attainted if they be then living, and the benefite of the Clergie therof before not had. And þ Appellant shal have such anantages, as if the said acquital or attainer had not bene, the said acquital or ataynder notwithstanding. 3. H. 7. 1.

**By whō, with-
in what tyme, &
before whō ap-
peal of murder
shalbe comēced.**

4 ¶ The wife or heire of the person so slayne or murdered, as case shal require, may commence their appeal in proper person, at any tyme within the yere after the felony done, before the Sheriffe and Coroners of the Countie where the sayd felony & murder was done, or before the Quene in her Bench, or Justices of gaole deliv-
nerie. 3. H. 7. 1.

Poysoning.

5 ¶ All wilful killing by poysoning of any person, is wilful murder of malice prepenced, and the offenders, their aidors, abettors, procurors, & counsaillors shal suffer death, & for. as in cases of wilfull murder of malice prepenced. 1. Ed. 6. 12.

Adjudgement.

6 ¶ It shal not be adjudged murder, where an act is done by misfortune, but murder shalbe intended of them which be felony oulge slaine. Marleb. 52. H. 3. 26.

1 That appeale of murder may be commenced in one countie, of the death of any person stricken or poysoned in any other countie. S. Triall. 1.

2 The declaration in appeale of murder, and within what tyme it shalbe sued. S. Appeale. 2.

3 Where murder shalbe tryed by speciall commission. S. Treason. 9.

4 That the killing of the Chauncelor, Treasorer, or any Iudge &c. sitting in his place, is high treason. S. Treason. 1.

5 That it is not lawful to flea any person attainted in Premunire. S. Premunire. 6.

6 That the appellant in appeale of murder where battell lyeth not, may make an Attorney. S. Atturuey. 5.

7 In what sort Coroners shall enquire of murder, & attache the offenders. S. Coroners. 2. 3. 4.

8 In what case foresters may flea offenders. S. Forests. 4.

¶ Nevves.

**Newes to breed
discord betwixt
the Q. and her
subjects.**

¶ Whosoever doth contrive, speake, or tell any false or counterfayt newes, in her of discord, or matter, or cause of discord or slaughter may arise betwene þ Quene and her noble mē, or people, or any false

false newes, lyes, or other such false thinges of Prelates, Dukes, Earles, Barons, & other nobles and Deeres of the realme, or of the Chauncellour, Treasourer, Clerke of the priuy seale, Steward of the Queens house, Iustices of the one bench, or of the other, or of any great officer of the realme, wherof discorde or slander may rise within the realme, shalbe taken & imprisoned until he hath brought forth him which he saie. And when he is takē & imprisoned & cannot find him which spake the words, the he shalbe punished by the aduise of the Counsel. *W. 1. 3. Ed. 1. 3. 4. 2. R. 2. 5. 12. R. 2. 11. 1. & 2. P. & P. 3. 1. Cl. 7. S. Iustices of peace 22.*

Newes of the Deeres or great officers of the Realme.

2 ¶ Whosoever, shal by preachinge, teachinge, writinge, or open speach norifie, or any eating of fishe, or forbearing of flesh mentioned in the statute for those cases provided, is of any necessitie for the saving of the soule of man, or if it is the service of God, other wise than as other politike lawes be, shalbe punished as spreaders of false newes are, & ought to be. *5. Cl. 5. S. Fish daies.*

Newes concerning eating of fishe, or forbearing of flesh.

3 ¶ If any person or persons, after the ende of fortie dayes next ensuing the end of this present Session of Parliament shall advisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, and slanderous newes, Rumors, sayings, or tales, against our most natural sovereigne Lady the Queene (that now is.) Then all and every such person and persons so offending, beinge thereof lawfully convicted or attainted, in forme hereafter in this present act expressed, shal for every such first offence, either be in some market place within the Shire, City, or Borough (where the said wordes were, or shalbe so spoken,) set openly upon the pillorie, by the Sheriffe or his ministers, if it shal fortune to be without any City, or Towne corporat: And if it shal fortune to be within any Citie or towne corporat, then by the principall officer or officers of such Citie or towne corporat, or his or their ministers, and there to have both his eares cut off, or at the electyon of the offender, pay two hundred poundes, to the Queenes use, in her receipt of the Exchequer, within two monethes next after the Judgement given of his sayd offence, and also shal suffer imprisonment, by the space of sixe moneths after such his or their conviction, without baile or mainprise. *23. Cl. 2.*

Slanderous newes against her maiestie.

4 ¶ All and every person & persons, which after the ende of the sayd fortie dayes, shall advisedly, and with a malicious intent against our sayd Soueraygne Lady, report any false, seditious and slanderous newes, rumors or tales, to the slander and defamacion of our sayd Soueraigne Lady the Queenes maiestie that now is, of the speakinge or reportinge of any other. Then all and every such person or persons so reportinge, beinge thereof convicted, and

Newes upon other mens reports.

Newes.

and attainted in forme hereafter in this act expresse, shal for every such first offence either be in some market place within the shire, citie, Borough or towne, where the said wordes were, or shalbe so reported: set openly upon the pilloze by the sherrife or his ministers, yf it shal fortune to be without any citie or towne corporate, and yf it shal fortune to be within any citie or towne corporate, then by the principal officer or officers of such citie or towne corporate, or bys or their ministers, and there to haue one of his eares cut off, or at the election of the offender pay two hundred markes to the Quēens vse, in her receipt of the Eschequer, within two monethes next after the iudgement geuen of his said offence, and also shal suffer imprisonment by the space of thre moneths after such his or their cōuiction, without baile or mainprise. 23. Cl. 2.

The second fel-
der against the
Q. after con-
uiction.

5 ¶ If any person or persons, once lawfully convicted for any of the offences aforesaid, do after wardes cōtinue offend in any of the offences aforesaid, then every such second offence to bee deemed and adjudged felony, and the offender and offenders therein, to suffer such paines of death, and forfeiture, as in case of felony, without any benefit of Clergie, or sanctuary to be allowed unto the offender in that behalfe. 23. Cl. 2.

Sclāder of the
Q. by booke
write, writing

6 ¶ If any persō or persōs, after the end of the said forty dayes, either within this realme, or in any other the Quēens dominions, or in any other place, out of the Quēens dominions shal advisedly, & with a malicious intent against our sayd soueraigne Lady, devise, & write, print, or set forth any maner of booke, rime, ballad, letter, or writing containing any false, seditious, & slanderous matter, to the defamatiō of h̄ M. (that now is) or to h̄ encouraging stirring or mo-
ning of any insurrection, or rebellion within this realme, or any the dominions belonging to the same. Or if any person or persōs after h̄ end of the said forty daies, either within this realme, or other h̄ M. dominions, or in any other place out of the Quēens dominions, shal advisedly and wth a malicious intent against our sayd soueraigne Lady, procure or cause any such booke, rime, ballad, letter or writing to be written, printed, published or set forth, & h̄ said offence not being punishable by h̄ stat. made An. 25. Ed. 3. cōcerning treason, or declaration of treason, or by any other statut wherby any offence is made or declared treasō: Then every such offence shalbe deemed & adjudged felony, & the offenders therein, being therof cōuicted & attainted, shal suffer such paines of death and forfeiture, as in case of felony is used wout any benefit of clergie or sanctuary to be allowed unto the of-
fender in that behalfe. 23. Cl. 2.

Whoreling &c.
of the Q. with-
ing her death or
degradation

7 ¶ If any persone or persons, of what estate condition or degree soever hee or they bee, at any time after the ende of the sayd fortye daies,

dapes, and during the lyfe of our said soueraigne Lady the Quene, (that now is) either within her Dominions, or without, shall by setting or erecting of any figure or figures, or by casting of Statuities, or by calculation, or by any prophesying, witchcraft, conjurations, or other like unlawfull meanes whatsoever, seeke to knowe, and shal set forth by expresse wordes, deedes, or writings, howe longe her Maiestie shall lyue or continue, or who shall raygne as Kinge or Quene of this Realme of Englande, after her byghnesse decease, or els shal aduisedly, and with a malicious intent agaynst her highnes, vtter any manner of direct prophesies to any such entent or purpose: Or shall maliciously by any wordes, writinge, or printinge wishe, will, or desire the death or deprivation of our Soueraigne Lady the Quene (that now is) or any thinge directly to the same effect: Then euery such offence shalbe felony, and euery offendour and offendours therein, and also all his or their ayders, procurers, and abettors, in or to the sayd offences, shalbe iudged as felons, and shal suffer such paines of death and forfaiture, as in case of felony is vsed, without any benefite of Clergie or Sanctuarie, And the Peeres of this Realme, & euery of them, that shal hereafter fortune to be indicted of any the offences aforesaid, shalbe tryed by their peeres, as befoze hath ben accustomed in cases of Treason and felonie. But this Act, nor any thing therein contayned, nor any attainder, or attainders of any person or persons, for any offence or offences made felony by this act, shal in any wise extende or be ad- Trial of peeres iudged, interpreted or expounded, to make the offendor or offendours to forfait or lose any landes, tenements, or hereditaments, any longer then onely during his owne lyfe, or to make any corruption of bloude, to any the heire or heires of any such offendor or offendours, or to make the wife of any such offendor to lose or forfait her dower or title of dower, of or in any landes, tenements, or hereditaments, or her action or interest to y^e same: Any thing in this act contained, or any attainder or attainders hereafter to be had, for any offence or offences made felony by this act, to the contrary notwithstanding. 23. Cl. 2.

No corruption of bloud for. of land, or title of dower.

8 ¶ The Justices of the Kings Bench, Justices of oyer & terminer, Justices of assises in their severall circuits, & Justices of general gaole deliuerie, aswel within liberties as without, within the limits of their severall commissions, shal by vertue hereof, haue full power & auctorizty, to enquire of, & to heare & determine al & euery the offences aforesaid, And the party indicted and arraigned of any the offences aforesaid, shal haue aduantage of al maner of challenges to the Iurie, as in trial of felony is vsed. 23. Cl. 2.

what Justices may here determine the sayd offences.

9 ¶ All offences made felony by this act, which hereafter shalbe committed out of the realme, done

Trial of offences committed out of the realme.

Newes.

done or committed, by any person or persons out of this Realme of Englad, shalbe from henceforth enquired of, heard and determined before the Quænes Justices of her bench for p[re]s to be holden before her selfe, by good & lawfull men of the same countie where the same bench shalbe kept, in like maner & to al intents & purposes, as if the same offences had bene done & committed within the same countie, where they shal so be required of heard and determined, any thing to the contrary notwithstanding. 23. Cl. 2.

Within what
time the offen-
dor shalbe ac-
cused.

Testimony re-
quisite for the
conviction of
any prisoner.

Officers in cor-
porate townes
may imprison
& indite the
offenders.

10 ¶ No person or persons, shalbe molested or impeched for any of the offences concerning speaking or reporting as is aforesaid, vnles he or they be therof accused w[ithin] 1. moneth next after such words so spoken or reported, before some one Justice of peace, & the witnesses therein to be vled, named to y^e same Justice, & the same accusation & witnesses names put in w[ri]ting by the said Justice, & certified at y^e next quarter Sessions or gaole deliuey, & vnles such offendour also be indicted w[ithin] one yere next after his or their said offence so supposed to be committed or done. And no person or persons shalbe hereafter indicted or arraigned for any offence or offences touchinge or concerning speaking or reporting as aforesaid, vnles y^e same offence or offences be proued by the testimony, deposition, and othes of ij. sufficient witnesses at the time of his or their Indictment, whych said witnesses also, at y^e time of the arraignment of the partie so indicted, shalbe brought forth in pers[ons] before the party so arraigned, face to face, and there shal openly declare al they can say against the said party so indicted, vnles the said party so indicted shall willingly and without violence confesse the same. 23. Cl. 2.

11 ¶ Every Maior or Mayoress, Bailiffe or other head officer of Cities, Boroughes, and Townes corporate, which haue or hereafter shall haue iurisdiction and auctorizy, w[ithin] their seuerall limits of their office or offices, to holde and keepe Sessions as Justice or Justices of the peace, shall and may by the auctoritie hereof, aswell arrest and commit to warde or baile, in maner and forme aforesaid, al and euery person and persons, being vehemently suspected of any the offences aforesaid, as also to enquire of al & euery the offences aforesaid, and to procede to the indicting of euery such offender, without any further proceeding therein. Any thing in this act &c. notwithstanding. 23. Cl. 2.

1 That Iustices of peace shall enquire of the foresayde offences, and commit offenders to vvarde. S. Iustices of peace 21.

2 VVhat challenge he shal haue vvhich is indicted and arraigned vpon the foresaid statut. S. Challenge 12.

Nontenure

By exception of Nontenure of parcell, no writt shalbe abated but for the quantitie of y^e nontenure which is alledged. 25. Ed. 3. 16.

1 Exception to a fine that the parties to the same had nothing in the land. S. Fines. 8.

¶ Office, Inquisition.

If any Offices or Inquisitions be found before Eschetors, Commissioners, or others, containing tenure of the Quene in Capite, intituling her grace to the wardship or custodie of any lands, tenements, or hereditaments, or intituling her to the same, upon attainders of treason, or felony or otherwise, whereas any other person or persons do holde the same landes &c. for terme of yeares, or by copie of Court rolle, or do enioy any rent, common, office, fee, or other profit appender, of any estate of freehold, for yeares, or otherwise out of such lands &c. specified in such offices, though in such offices such titles, interests, or matters shalbe omitted and not found yet every lessee, tenant for yerres, or copiholder, & every such person & persons y^e haue any interest to any rent, common or profit appender, for terme of yerres, life, or otherwise out of the lands &c. contained in such office or inquisition, where the Q. shalbe intituled to the same, shal haue, enioy & perceiue, al & every their leases & interests for tme of yerres, or by copy of court rolle, rentes, commons, offices, fees, and profit appender, in such maner & condition, as every of them should or might haue done, in case there had ben no such office founde, & as such lease, interest, by copy of court rolle, common office, fee, or profite appender had bene found in such office. 2. Ed. 6. 8.

Other mens interests saved, though they be not found by office.

2 ¶ If a Jurie that shalbe swozne before any Eschetor, or Commissioner, to enquire of lands &c. do not receiue the counterpaine of y^e office or inquisition y^e by the shalbe presented, indented & sealed by y^e eschetor or commissioner, & y^e same deliuer & suffer to rest in the possession of y^e first person y^e shalbe swozne in the said Jurie, to y^e intent y^e the eschetor or commissioner may not change or imbesile the sayd office, every of the said Jury shal forf. xx. s. 1. H. 8. 8. 3. H. 8. 2..

The counterpaine of an office shall remaine with the first man of the Jurie.

3 ¶ If the lands & tenements wherof any inquisition is to be had by vertue of any writt or commission, excēde y^e value of v. li. by y^e pere, then such as sue for such writts or commissions, shal pay for the seale & writing thereof such fees as haue ben accustomed. And if the lands & tenements wherof any inquisition & office is to be found by vertue of any writt or commission, excēde not the said perey value of v. li. Then such as shal sue for such writts or commissions, shal pay for the seale of every of them. vi. d. and not above. 3. H. 8. 22.

The fees of writts or commissions.

4 ¶ If the officer of a Court of record, where an inquisition of lād not excēding y^e perey value of v. li. shalbe returned, beig offered

Receyving an office certified.

Office, Inquisition.

unto him, within one moneth next after the finding thereof, do not receiue the same, he shal forf. v. li. to the D. & J. to be rec. by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 22.

An Office received within
thre dayes.

5 ¶ If the Clerke of the petit Bagge of the Chauncerye or hys deputie, or any officer of y^e Eschequer, hauing auctoritie to receiue any offices or inquisitions, to whose handes an office or inquisition shal come, which ought to be returned into the Chauncerie or Eschequer, will not receiue the same, and put it on the file as of recozd within thre dayes after it be receiued or offered to him, he shal forf. xl. li. i. H. 8. 8. 3. H. 8. 2.

Transcript of
offices.

6 ¶ The Clerkes of the petit Bagge in the Chauncery, shall certifie the transcript of al offices found & returned into y^e Chauncerie, betwene Easter & S. Michael into y^e Eschequer, in the terme of S. Michael, And the transcript of all offices founde & returned into the Chauncerie, betwene Michaelmas & Easter they shal certifie perely in the terme of Easter, and otherwise they shall not certifie, & also they shal certifie the transcript of al offices into the Court of wards & Liveries, in like maner & sojme, as they are bounde to do into the Eschequer. 33. H. 8. 22. which certificats they shall make in sojme asforesaid, vpon paine to forf. for euery default C. s. to the D. & J. to be recovered by action of debt, wherein no W. &c. C. P. &c. i. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22.

Offices in L^a.
baster, Chester,
Duresme.

7 ¶ All Inquisitions and offices found befoze any Eschetor or Commissioners, by vertue of any writs or comission or otherwise, within the counties palatines of the Duchy of Lancaster, Chester & Duresme, or any of them, shalbe returned by the said Eschetors & Commissioners, within one moneth next after y^e taking thereof, into such places & offices, as heretofore they haue bene accustomed to be returned into, vpon paine to forf. for euery default xl. li. to y^e D. And the Clerke of y^e Duchy of Lancaster, the vicechamberlain of Chester, & the Chauncelloz of the countie palatine of Duresme, or other officers within the said counties palatines, or their deputies, & euery of the, hauing auctoritie to receiue any such office or inquisition, to whose handes the same shal come, shal certifie or cause to be certified vnder his or their hands in parchmēt, the true transcript of euery such office or inquisition, take befoze any of the said Eschetors or Commissioners, vnto the Master of the Court of Wardes & Liveries, in such like maner, as is appoynted to the Clerkes of the petit Bagge in the Chauncery to transcript the same, vpon paine to forf. for euery such default v. li. to the Quene, which transcript shal there remaine of recozde, in like maner as the transcripts of other offices already certified into the said Court by the Clerkes of y^e petit bagge are vsed. 18. El. 12.

I Where

1 Where a Melius inquirendum shalbe awarded vppon an office vncertainly found. S. Tenures. 6.

2 For the manner of finding of offices and returninge them. S. Eschetors 2. 4. 7. 9. 10.

3 Where, and in vvhhat cases, any person may be allowved to traueers an office. S. Trauerse. 1. 2. 3.

4 That the landes, goods &c. of any person attainted of Treason shalbee in the Queene vvithout office founde of the same. S. Treason I 4.

¶ Offices & Officers.

The Chaunceloz of Englad, Treasozer, Keeper of the pziup scale Steward of the Quēnes houle, the Quēnes Chamberlayne, Master of the Rolles, the Justices of the one bench & the other, Barons of the Elchequer, & al other that shalbe called to ozdaine, name, or make Justices of peace, Sherifes, Elchetors, Customers, Comptrollers, or any other officers or ministers of the Quēnes, shalbee swozne, that they shal not ozdaine, name, or make, any of y^e foresaid officers, or any other officers or ministers of y^e Quēns, for any gift or bzocage, fauor or affection, nor that any which laboureth by him selfe or by other priuely or opely, to be in any office, shalbe put in the same office or in any other, But they shall make all such officers & ministers of the best and most lawfull and sufficient men to their estimation and knowledge. 12. R. 2. 2.

Note that ob-
same offices by
luit or reward

2 ¶ All Officers made by the Quēnes letters patentes, within her courts which haue auctorite, by vertue of their offices of olde time accustomed, to make or appoint Clerkes & Ministers wthin the same courts, shalbe charged & swozne to appoint & make such clerks & ministers, for whom they wil answer at their peril, which be sufficient, faithfull, & ready to attends to that which pertayneth to their charge, aswel touching the Quēnes seruice, as the busines of al the common people. 2. H. 6. 10.

Officers of the
Queens courts

3 ¶ No Customer, Comptroller, Searcher, wayer, finder, aul- neger, gaugeour, collector of customes or subsidies, shal haue any estate in his office for terme of life, or yeres, but y^e said offices shal remaine in the Quēnes handes, vnder the gouernance & direction of the Treasozer of Englande (with the assent of the Counsel if neede be.) And no letters patēts shalbe made, of any of the said offices, but by warrant & bil assigned by the Treasozer, sent into the Chauncery. And if any letters patents be made by any other warrant or Bill, they be void. 14. R. 2. 10. 17. R. 2. 5. 1. H. 4. 13. 3 1. H. 6. 5.

Officers remo-
uable.

4 ¶ If any person do bargain or sell any office, or deputation of any office, or any part of any of them, or receyue, haue, or take,

Buying & sel-
ling of offices.

ff. ff. 11j.

any

Offices & Officers.

any money, fee reward, or any other profit directly or indirectly, or take any promise, covenant, bonde, agreement, or any assurance to haue any money or other profit for any office, or for the deputation of any office, or any part of any of them, or to the intent y any person should haue, exercise, or enioy any office, or y deputation of any office &c. or any part of any of the, which office or any part of them, shal in any wise concerne y administration or execution of Justice, or the receipt, controlment, or payment of any of the Quenes treasure, money, rent revenue, accompt, aulnage, auditourship, or surveying of any of the Quenes lands, woods, or hereditaments, or any of the Quenes customs, or any administration, or necessarie attendance to be done in any of the Quenes Custom houses, or y keeping of any of the Quenes townes, castels, or fortresses, being vled or appointed for a place of strength & defence, or which shal touch any Clerkship to be occupied in any court of Record, wherein Justice is to be ministered: Then euery such person y shal so bargain or sel any of the sayd offices or deputations, or shal take any money, fee, reward, or profit for any of them, or any part of any of the, or that shal take any promise, covenant, band or assurance, for any money, rewarde, or profit to be geuen for any of them, shal lose al his right, interest, & estate, which he shal then haue, of, in, or to any of the sayd offices or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of y said offices or deputations, for which offices or deputations, or any part of any of them, any such persons shal make any bargain or sale, or take any money, fee rewarde, or profit, or any promise, covenant, or assurance, to haue or receiue any fee, reward, money, or profit. And also euery such person y shal geue any money, fee, or rewarde, or shal make any promise, agreement, bonde, or assurance, for any of the said offices or deputations, or any part of any of them, shal immediatly, by & vpon y same fee, money, or rewarde geuen or paid, or vpon any such promise, covenant, band, or agreement had or made, for any fee, summe of money, or reward to be paid, be adudged a disabled person in y law to al intents to haue, occupie, or enioy y said offices or deputations, or any part of any of them, for the which such person shal so geue or pay, or make any covenant, band, or promise &c. to pay any summe of money, fee, or reward. And al such bargains, sales, promises, bands, agreements, covenants, & assurances, as be before specified, shalbe void to & against him & them by whom they shalbe had or made. s. Ed. 6. 16.

Offices where
vnto the Statute
extendeth not.

5 ¶ But this Statute extendeth not to any office, wherof any person is or shalbe seised of any estate of inheritance, nor to any office of parkership, or of y keeping of any house, manor, gardein, parke, chase or forest: Neither doth it extende, or is preiudiciall to any of y chiefe

Justices

Justices of the kings bench, or common place, or to any of the Justices of assise, But every of the said Justices may do in every behalfe touching any office or offices to be geuen or graunted by any of them, as they might haue done before &c. 5. Ed. 6. 16.

6. ¶ If any person do offend in any thing, contrarie to the tenor of this act, yet al Judgements geuen, & al other acts executed & done by him by auctoritie, or colour of the office which ought to be forsaken, or not occupied by him after the offence by him committed before he be remoued from the administration of the said office or deputation, shalbe good & sufficient in law to all intents, in like maner, as the same should haue bene if this statute had not bene made. 1. Ed. 6. 16.

7. ¶ If any of the officers appointed for the Court of wards & liveries, do conceale or withhold willingly any rents, casualties, or other profits, coming to the Quene by the minority of any of her wards, or by reason of any thing appointed to be within the order of the Court of wards & liveries: Then they so offending shall lose to the Quene the double value of the thing concealed, or withheld. 32. H. 8. 46. And if the Surueior or Clerke of the liveries, do willingly withhold or conceal any record or profit he should grow to the R. &c. by reason of the same, then he shall lose to the R. &c. the double value of the thing so concealed or withheld, to be leuied & recovered agaynst the offender, upon an information made by the party grieved, & the same duly proued in the court of wards & liveries. 33. H. 8. 22.

1. ¶ Where officers by reason of their offices may exhibit Informations. S. Actions populer, 8.

2. How Officers of the queenes shalbe punished, vvhich by colour of their offices do disseise any man. S. Assise, 4.

3. The forf. of officers of the kings bench, or common place, for false entries in certaine cases. S. Apparance, 1.

4. Where commissions shalbe awarded to enquire of concealment of officers accomptable in the Eschequer. S. Accopt to the Q. 46.

¶ Oyle.

The Maior of London with the Masters & wardens of the mystery of Tallow Chaublers of the same citie, haue auctoritie to search al maner of Dyles brought into the said city to be sold, in whose hands soener they shalbe found, as often as the case shall require. And they shall ouersce the same Dyles put to sale, be not mixt or altered from their right kinds, but the they be good & lawfull as they ought to be. And it is lawfull for the said Maior, with the said Master & wardens, to dāpne, auoide, & utterly to cast away, all such oyles as they find defectiue, or falsly, or deceueably mixed & altered from their right kinds, wout let of any person. And also they may commit such persons

J. F. iij.

as

Acts done by
an officer re-
mouable.

Officer with-
drawing the
Queenes ittg.

Searching of
oile in London.

Ordinarie.

as shalbe found defectiue for vsing such deceit or craft to ward, & punish the by their discretions, according to the lawes & customes within the city or liberty of London, blessed & made for other misdoers. 3. H. 8. 14.

Searching of
oyle out of
London.

2 ¶ The Mayor in every citie, borough, & towne where a Mayor is, or the gouernours or rulers of every other citie, borough &c. for the time being, haue within their iurisdiction, liberty, & franchise, like authoritie to make & do like search, order, direction, correction, punishment & execution of the same, of, for, & vpon all oyles being defectiue, or deccaueably, or falsly mixed & altered, by any person within their liberties & franchises, in maner & forme before rehearsed, & as the Mayors masters, & wardens of the citie of London haue or may in London &c. 3. H. 8. 14.

¶ Ordinarie.

Ordinarie charged as executor.

1 ¶ If by the death of any dying intestat, which is bound to some other for debt, the goods come to the Ordinaries handes to be disposed, the Ordinarie is bound to answer as farre forth as the goods of the dead wil extend, in such sort as executors should haue bene bound, if the partie had made a will. West. 2. 13. Ed. 1. 19.

Ordinarie indicted of extortion.

2 ¶ No Ordinarie, or any minister of his shalbe indicted of extortion or oppression generally but it must be declared & put in certayne in the indictment, in what thing, of what, & in what maner the said Ordinarie or their ministers haue done extortion & oppression, or other wise the said Ordinarie &c. shal not be impeched by the Quenes Justices, for the said indictment. 25. E. 3. 9. Stat' pro Clero.

Religious houses within the visitation of the Ordinarie.

3 ¶ An. 3 1. H. 8. 13. it was enacted. That such of the late Monasteries, Abbathies, Priories, Punnies, Colleges, hospitals, houses of Fries, & other religious & ecclesiastical houses & places, and all churches & chappels to any of them belonging, which before the dissolution, suppression, or coming vnto 3. H. 8. were exempted from the visitation, & all other iurisdiction of the Ordinarie, within whose dioces they were scituat, should bee within the iurisdiction & visitation of the Ordinaries, within whose dioces they or any of them be scituat, or of such persons as by the said king H. 8. should be appointed, any exemption, libertie, or iurisdiction notwithstanding. 31. H. 8. 12..

1 The Ordinaries authoritie & duetie, when any question for tythes shal come in debate before him S. Tithes. 20. 21. 31.

2 That the Ordinarie maye suspende him which chydeth in a Church or churchyard. S. Fighting. 2.

3 The Ordinaries authoritie in punishing the incontinency of ecclesiastical persons. S. Incontinency. 1.

4 ¶ Where the Ordinarie must geue the patron notice of deprivation. vj. monethes before Lapse. S. Lapse. 1.

5 That the Ordinarie may visite Hospitalles within his Dioces, & call

& call the Officers to accompt. S. Hospitals. 1.

6 For the Ordinaries dutie in prouing of testamēts & graūting administration. S. Probate &c.

¶ Otmeale.

If any person will take vpon him to sell Otmeale, which is im-
paired by any craftie meanes, first he shalbe grievously punished,
& being the second time convict, he shal lose al his Otmeale, & thir-
d time shalbe adiudged to the Whilozz, & the fourth time hee shall for-
swear the Towne. 51. Ed. 1.

Selling of cor-
rupt Otmeale.

¶ Pardon.

N^O charter of Pardon of any Felony, Robbery, or Homicide,
shalbe graunted to any person, but where the Quene may doe
it, savinge her othe taken at her Coronation. (vz. Where a mā kill-
eth another in his owne defence, or by misfortune. 2. Ed. 3. 2.) And
if any Charter be otherwile graunted, it shalbe void. 4. Ed. 3. 12. 10.
Ed. 3. 2. 14. Ed. 3. 15..

Of what offen-
ces pardon may
be graunted.

2 ¶ In every Charter of pardon of Felony, which shalbe graū-
ted at any mans suggestion, the suggestion, and the name of him &
maketh it, shalbe comprised in the same charter. And if after warde
the suggestion be found untrue, the charter shalbe disallowed & ac-
compted nothing worth. And the Justices before whō such Char-
ters shalbe alledged, shall inquire of the same suggestions, & if they
finde them untrue, they shall disallow the Charters, & further pro-
ceede as the Law requireth. An. 27. Ed. 3. 2.

The suggestion
comprised in
the pardon.

3 ¶ No Charter of Pardon shalbe allowed before any Justice
for Murder, or for the death of a man slayne by a waite, assault or
malice prepenced, Treasō, or Rape of a womā, vnlesse & same mur-
der, death, treason, or Rape be specified in & same Charter, and if a
charter of & death of a man be alleged before any Justices, in which
it is not specified that he of whole death any such is arraigned, was
murdered or slaine by a wayt, assault, or malice prepenced, the same
Justices shal inquire by a good Enquest of the visne, where the dead
was slaine, if he were murdered or slaine, by a waite, assault, or ma-
lice prepenced. And if they finde that he was murdered or slaine by
await &c. the Charter shalbe disallowed, and further therein shalbe
done, as the Law requireth. 13. R. 2. 1. 16. R. 2. 6.

The offences
specified in the
pardon.

4 ¶ If any man or woman, do desire, or pursue, or cause to be re-
quested or pursued, for any charter of pardon, for any felon arraigned
of Felony, Murder, or Rape, which for safeguard of his life doth be-
come an approuer, & name of him or her which pursueth such char-
ter, shalbe put in & Charter making mention & the same charter is
graunted

Pardon of an
approuer.

Parliament.

granted at his request and instance. And if he to whō þ charter is granted, after his deliuerāce becōmeth a felon againe, þ same persō which did pursue for his charter shal forf. to þ D. C. li. s. þ. 4. 2.

He that hath a
pardon, shall find
suerties for his
good abearing.

5 ¶ If the D. do graunt to any person any charter of pardon, of any homicide, robberie, or felony, then he to whō the same is graunted shal come within iij. moneths next after the making of þ same. befo; e the Sherife, and Cozoners of the Countie where the felony was done, & shal finde vi. good & sufficient Mainperno;rs, for whom the said Sherife and Cozoners will answeare, that he from thenceforth shal beare him selfe wel & lawfully. And the mainpernes shal be sealed and returned into the Chauncery within iij. weekes after the end of þ said thre monethes. And if he which hath such charter wil aid him selfe thereby, & hath not found such mainpernes, or after such mainperne found doth beare him otherwile against þ peace thē he ought, his charter shalbe accepted void & of no force. 10. Ed. 3. 3.

1 VVhat thinges be requisite to make pardons of vylavry allowed. S. Exigent. 2. 3.

2 That none haue authoritie to pardon Felons &c. but the Queene, S. Prærogative. 17.

¶ Parliament.

Every man that
ought, shall by þ
summons, come
to the parliament.

¶ Every person of the realme which hath Summons to come to the Parliament which shalbe holden once every yere, & more often if neede bee. (4. Ed. 3. 13. 36. Ed. 3. 10.) bee he Archbishop, Bysshop, Duke, Earle, Barō, Baronet, Knight of the Shyre, Citizen of Citie, Burgesse of Borough, or other singular persō or comminalltie, that doth absent him selfe & cometh not at þ said Summons, (except hee can reasonably & honestly excuse him selfe to the D. Maitre,) shalbe amerced, and otherwile punished according as hath ben bled 5. R. 2. 4.

A man shall
depart fro the
parliament with
out licence.

2 ¶ No Knight, Citizen, Burgesse, or Baron, that shalbe elected to come or be in any Parliament, shall depart from the same Parliament, nor absent him selfe from the same, until the same Parliament be fully finished, ended, or proroged, (except he haue licence of the Speaker and Commons in the said Parliament assembled, and the same licence be entered of Record in the booke of the Clerke of þ Parliament, appointed for the common house) vpon payne to lose all those summes of money which he ought to haue had for his wages. And all the Counties, Cities, & Boroughes, where of any such person shalbe elected, and the inhabitants of the same, shalbe clerely discharged of the said wages against the said person & his executors for ever. 6. R. 8. 16.

Returne of the
writtes to the
parliament.

3 ¶ If any Shyre of the Realme be negligent in making his return of writtes of the Parliament, or leaue out of þ said returnes any

any Cities, or Boroughes, which be bounde, or of olde times were wont to come to the Parliament, he shalbe punished in such sort, as it hath bene vsed &c. 5. R. 2. Stat. 2. 4.

4 ¶ At the next County holden after the deliuey of the W. writ for the election of the knights of the Parliament, proclamation shalbe made in the full Countie, of the day, and place of the parliament, and that al they which be there present, as well Sutoys summoned for y same cause, as other, shal attend to the election of their knights for the Parliament, and then in the full County they shall proceed to the election freely and indifferently (not withstanding any prayer or commaundement to the contrarye. 7. H. 4. 15.) which election shalbe made by y Sherife in due & conuenient time. (That is to say, euery Sherife in his full countie shal make y same, betwene the hower of viii. and the hower of ix. in the forenone without collusion.) And the knights of the shires within England shalbe chosen by men dwelling and resident within y same counties, wherof euery one hath free landes, or tenements to the value of xl. s. by the yere at the least aboue al charges, within the same Countie, where any such person will medle in the election. And they which shalbe chosen, shalbe also remaining & dwelling within the same counties, the day of the date of the writ, for summons of the Parliament. And they which haue y greater nuber of thole which may dispend xl. s. or aboue (be they absent or present) shalbe returned by the Sherife of euery countie, knights for the Parliament, by Indenture ensealed, made betwixt y said Sherife, & the said Chousers, and the Indenture shalbe filed to y Parliament writ, which Indenture so sealed & filed, shalbe y returne of y same writ. And euery Sherife within y realme of England, hath auctoritie to examine by oth, vpon y holy Euangelistes euery such Elector, how much he may dispend by yere (for he y cannot dispend xl. s. by yere, shal not in any maner be a chouser of the knights of the parliament.) And if any Sherife returne knights for the parliament contrary to this statut, or doth not make his election within y foresaid time: the Justices of Assise in their Sessions haue power to enquire therof, & if by Enquest it be found before the same Justices, & the Sherife thereof attainted, he shall forf. to the D. C. li. & also be imprisoned a yere, without being let to baile or mainprise. And moreouer he shal forf. & pay to euery persn chosen knight for the shire, & not duly returned C. li. wherof euery knight so grieved shal haue his action of debt against y said Sherife, his executoys or administrators, to demaunde & haue the said C. li. with his costes in that case dispended, wherein no W. C. &c. And also the knights for y parliament returned in contrary maner, shal lose their wages 7. H. 4. 15. 11. H. 4. 1. 1. H. 5. 1. 8. H. 6. 7. 10. H. 6. 2. 23. H. 6. 15.

But

The maner of
the election of
the knights for
the parliament

The Sherifes
expenditure.

Parliament

But the Sherifes which shal make such elections, shall haue their answers & trauesers to such Enquests and Offices found befoze the Justices of assise. And neither the Sherifes nor the knights supposed to be vnduely returned, shal incur any damage to the Queene, vntil they be duly convicted, according to the course of the lawe. 6. H. 6. 4.

Election of
Burgesses.

5 ¶ Every Sherife after the deliuey of the Quenes writ for þ parliament, shal make and deliuey without fraud, a sufficient precept vnder his Seale to euery Maior & Bailife, or to Bailifes, or Bayliffe, where no Maior is, of the Cities & boroughs within his county reciting the same writ, commaunding them by the same precept (if it be a Citie) to chosse by Citizens of the same Citie, and in the same maner, if it be a Borough, by the Burgesses of the same, to come to the Parliament. And the same Maior & Bailife, or Bailifes &c. shall returne lawfully the Precept, to the same Sherife, by Indenture betwixt the same Sherife, & them of the said election, & of the names of the Citizens and Burgesses by them so chosen, and therupon euery Sherife shal make a good and rightfull returne of euery such writ, & of euery returne of the Maiors or Bailifes &c. to him made. And euery Sherife at euery time þ he doth contrary to this statute, or any other statutes for the election of knights, Citizens, and Burgesses to come to any Parliament (made befoze the xxv. day of February. An. Do. 1444. & 23. H. 6.) shal forf. to þ Queene C. li. & be one yere imprisoned without baile or mainprise, & moreover shal forf. & paye to euery person chosen knight, Citizen, or Burgesse in his Countie to come to any Parliament, and not duely returned C. li. wherof euery knight, Citizen, or Burgesse so græued seuerally, shall haue his action of debt against the said Sherife or his executors or administrators, to demanda & haue þ said C. li. with his costes in that case expended, wherein no W. C. &c. 23. H. 6. 15.

Other Burges-
ses returned
then which be
chosen.

6 ¶ At euery time þ any Maior & Bailifes, or Bailiffe, or bailifes where no Maior is, shal returne other persons then those which be chose by the Citizens & Burgesses of the Cities or boroughs where such elections shalbe made, they shal forf. to the Q. xl. li. & also they shal forf. & paye to euery person chosen citizen or burgesse for þ Parliament, & not by the said Maior &c. or Bailifes &c. returned xl. li. wherof euery of þ Citizens or Burgesses so græued, seuerally shall haue his action of debt against the said Maiors and Bailifes, or bailiffe, or Bailifs, where no Maior is, against their executors or administrators, to demanda & haue xl. li. with his costes in that case expended, wherein no Wager C. &c. 23. H. 6. 15.

A knight or bur-
gesse put out, &
another put in
his place.

7 ¶ If any knight, Citizen, or Burgesse, returned by þ Sherife, to come to þ Parliament in maner aforesaid, be after such returne by any person put out, and another put in his place, such person put

put in the place of him which is so put out, if he take upon him to be a Knight, Citizen, or Burgesse at any Parliament, shal for. to the Quene C. li. & also C. li. to the Knight, Citizen, or Burgesse so returned by y^e Sherif, & after wards put out, for y^e which C. li. y^e knight, citizen, or burgesse put out, shal haue his actiō of debt agaiⁿt such person put in his place, his executo^rs or administrato^rs. 23. H. 6. 15.

8 ¶ But the said Knight, Citizen or Burgesse put out, & euerie other persō befo^re named, which shal or may haue any actiō of debt agaiⁿt any Sherif, Balow, Bailife, Bailifs &c. for to demaⁿd C. li. or xl. li. by force of any branch or clause befo^re rehearsed, shal begin his actiō of debt, wⁱn iij. moneths after the same parliament com^menced, & proce^de in the same suit effectually wⁱout fraud. And if he do not so, any other y^e wil sue shal haue y^e said action of debt, to haue & recover the same sūme, with his costs in that behalfe dispended in maner & forme afo^resaid, wherin no W. C. &c. 23. H. 6. 15.

Within what
time the suit
shalbe com:
menced.

9 ¶ The knights of the shires chosen for y^e Parliament, shal be worthy & notable knights of the same shires for which they be chosen, or other wise such notable Esquiers, Gentlemen bo^rne of y^e sae Counties, as shalbe able to be knights. And no man shalbe such a knight which standeth in y^e deg^re of a peoman or vnder. 23. H. 6. 15. And the Citizens and Burgesse of Cities and Bo^roughes shal be chosen of men which be citizens and burgesse, resiant, dwelling, & enfranchised in the same Cities and Bo^roughes, and in none other maner. 1. H. 5. 1.

Who shalbe
knights for the
Parliament.

Citizens and
Burgesse.

10 ¶ The Quenes roial assent, by her letters patents vnder her great seale, and assigned with her hand, and declared and notified in her absence, to the Lords spiritual and tempozal, & to the com^mons assembled together in the high house, is, & en^er was, & shal be of as good strength & force, as though y^e Quenes persō had ben there personally p^resent, & had assented openly & publikely to y^e same. 33. H. 8. 21

The Quenes
assent.

11 ¶ If any Lord, or other spiritual man, or tēpozal, haue purchased any lands, tenements, or possessions that were wont befo^re the said purchase to be contributo^ry to the expences of the knights com^ming to the Parliament, the said lands, tenements, & possessions, & the tenants of the same, shalbe contributo^rie to the sayde expences, as the said lands &c. were wont to be, befo^re the time of the same purchase. 12. R. 2. 12.

Lands contributo^rie
to knights
wages.

12 ¶ The Sherif of eu^ery Countie for the time beeing, in the next Countie court holden in their Counties, after the deliuerance of y^e Quenes w^rits to thē. De solutione feodi militis parliamenti, shal make open proclamatiō, that the Coroners, and euery chiefe Constable of peace of the said Counties, and the Bailiffes of euery hundred or wapentake of the same Count^y, & al other which wil be

The order of le:
uying knights
wages.

at

Parliament.

at the assessing of the wages of the knightes of the shires, shalbe at the next countie there to be holdē, to assesse the said wages of y^e said knights. And the sherife, vndersherife, Tozoners, or Bailifs for the time being, shalbe there at the same time in their proper person, vpon paine of forfaiture to the M. of euerye of thē y^e maketh default xl. s. at which time the said sherife or vndersherife, in the presence of thē that shal come to the same, & of the iutors of the said counties then being there in the full countie, wel & duly shal assesse euery hūdzd to that assessable, by it selfe, to pay a certaine summe for wages of the knights of the shire, so that the whole summe of all the hūdzds do not exceede the summe which shalbe due to y^e said knights, & after that, in the same countie shal assesse euery village within the sayde hūdzds, which shalbe there assessable, to a certaine summe for the payment of the said wages, so y^e the whole summe of al y^e Townes, within any of the said hūdzds do not exceede the summe assessed vpon the hūdzd of which they be. And y^e said sherifes, vndersherifes, bailifs, nor no other officer, for y^e cause aforesaid shal leuy moze money of any village, then y^e wherunto they were assessed. And if anye do, or wil assesse any hūdzd, or village, other wise thē is aforesaid, they shal forf. for euery default to the M. xx. li. & to any man which wil sue in this case. x. li. And the said sherifs wel & duly shal leuy the money so assessed vpon y^e foresaid villages, as soone as they wel may, after y^e said assessing, & the same shal deliuer to the said knights, according to y^e writs therof, vpon the foresaid paines &c. & he y^e wil sue in this case shalbe thereunto admitted, & shal haue a Scire fac. against him y^e offendeth against this statute, & if the defendant duely warned in the same make default, or els appeare & be in y^e same conuict, thē y^e plaintifes shal recover against thē which be so conuict x. li. to their owne vse, besides the said xx. li. with their treble damages, for the costs of their suites. 23. H. 6. 11.

1 How they shalbe punished vvhich do assault any Lord, knight or Burgesse of the Parliamēt, or any of their seruants. S. Fighting. 5.

2 In what sort he shalbe vsed which entreth into the Parliamēt house, vvithout taking the othe for the assuraunce of the Queene's poवर ouer all estates. S. Queene. 5.

3 For the Knights and Burgeses of Parliament, to be chosen in euery Shire, Citie, & Towne corporate in Wales, & for their vvaiges. S. Wales. 116. 117. 118. 119. 120. 121.

4 That there shalbe ij. Knights for the Countie, & ij. Citizens for the Citie of Chester for euery Parliament. S. Chester. 2.

5 That they vvhich come to the conuocation, shall haue such liberties, as they vvhich come to the parliamēt. S. Conuocation. 1.

6 That no Appeales shaibe sued in the Parliamēt. S. Appeale. 1.

¶ Partition,

[If an inheritance which is holden of the Ducene in Capite, do descend to diuerse Coparceners, then al the heires shal do homage to the Ducene, and the inheritance which is holden of the Ducene shal be so deuised amongst the heires, that euery of them from thenceforth shal holde her part of the Ducene, Prerog. Regis 17. Ed. 2. 5. And if they be within age, the Ducene shal haue the wardship and marriage of euery one of them, and so shal euery other Lord of whō they hold their lands. Sta. Hibernie.

Particion of lands holden in Capite.

2 ¶ All Jointenants, and tenants in comen of any estate, or estates of inheritance in their owne rightes, or in the rightes of their wiues, of any manors, lands, tenements, or hereditaments, within England, Wales, or the Marches of the same, shal & may be compelled to make particion betwene them, of al such manors, landes, tenements, and hereditamentes, as they hold as iointenants or tenants in common, by writ De particione facienda, in like manner, as coparceners by the common lawes haue ben and are compellable to do, and the same writ shalbe pursued at the common law. 31. H. 8. 1.

Jointenants tenants in common, may be compelled to make particion

3 ¶ But euery of the said iointenants, or tenants in common & their heires after such particion made, shal and may haue aide of the other, or of their heires, to the intent to deraigne the warrantie paramount, and to recover for the rate, as is vsed betwene parceners after particion, by order of the common law. 31. H. 8. 1.

Aide after particion.

4 ¶ All Iointenantes, and tenants in common, and euery of them, which holde iointly or in common for terme of life, yeare, or yerres, or iointenants or tenants in common, where one or some of them haue estate or estates for terme of life or yerres, with the other that haue estate or estates of inheritance or freeholde, in any manors, lands, tenementes, or hereditaments, shal & may be compellable by writ of particion, to bee pursued out of the Chaucerpe, vpon his or their case, to make particion of al such landes &c. which they holde iointly or in common, for terme of life or liues, yeare or yerres, where one or some of them holde iointly or in common, for terme of lyfe, or yeares with other, or that haue an estate or estates of inheritance or freeholde. 32. H. 8. 32.

Jointenants for life or yerres

5 ¶ But no such particion to bee made by force of this statute, shalbe prejudicial to any persons, their heires or successours, other then such which bee parties to the said particion, their executors or assignes. 32. H. 8. 32.

Particion prejudicial to none but which be parties thereto.

1 How much the vsurpation of a coparcener vpon his coheire, shal prejudice him in his presentation. S. Auovvson 6.

2 In what manner, & betwixt vvhom particion shalbe made of lands in Gavelkinde in Kent. S. Prerogative 16.

¶ Pattens

Pattens & patten makers.

Dates of Aple.

If any pattenmaker within this Realme, doth make pattens, or clogges of such part of Aspe timber, which is able and sufficient to be made in shaftes, hee shal forfait to the M. and J. for every tyme M.s. But it is lawful to the pattenmakers of this Realme, to make pattens of such timber of Aspe that is not apt, sufficient, or convenient to be made in shaftes. 4. Ed. 4. 2. 4. H. 5. 3.

¶ Pattens.

Letters patentes
shal beare the
date of the deli-
uery of the
warrant.

The day of the deliuey of euery warrant sent by the Quene, or her heires, to the Chauncelloz of Englande, shalbe entred of record in the Chauncery. And the Chauncelloz shal cause letters patents to be made vpon the same warrant, bearinge date, the day of the said deliuey in the Chauncery, and not befoze. And if any letters patents be made to the contrary, they shalbe boide. 18. H. 6. 1.

Patents of
landes &c. graun-
ted to others
during pleasure

2 ¶ If any person do make suit to the Quene for any landes, tenements, offices, or any other thinges, by her grace graunted, or to be graunted to any person during her pleasure, the first patentee then being in life, he shal expresse in the said bill of petition or patēt, the tenor of the said former patent, and that the Quene hath determined her pleasure against the said first patentee, or els the seconde letters patents of any of the premisses to any person to be graunted, shalbe boide. 6. H. 8. 15.

A confirmation
of letters pa-
tents of Quene
Elizabeth made
or to be made.

3 ¶ Aswell all and singuler letters patentees, indentures, and other writings sealed vnder the great seale of England, or vnder the seale of the Duchy of Lancaster, or the seale of the County palatine of Lancaster, & heretofore made or graunted by our soueraigne Ladye Quene Elizabeth, sithence 18. Nouemb. Anno 1. of her raigne, for any summes of money, or for any other considerations, as al other letters patentees hereafter to bee made by our sayd soueraigne Lady, for any summe of money, or other considerations, during vij. yerres next ensuinge the makinge of this act (beinge 15. die Marcij An. Do. 1575.) to any body politique or corporate, or to any other person or persons whatsoeuer, of any honours, castles, manors, lordships, granges, meases, lands, tenements, medowes, pastures, rents, reuerfions, seruises, woods, aduowfions, nominations, patronages, annuities, rights, interestes, entries, conditiōs, lētes, courts, liberties, priuiledges, fraunchises, or of any other hereditamentes, with their appurtenances, or of any part or parcell of them, sealed with or vnder the great seale of Englande, or vnder the seale of the Duchy of Lancaster, or the seale of the countie palatine of Lancaster, of whatsoeuer kinde, nature, or qualitie, they or any of them be, or shalbe reputed, known, or taken, with their appurtenances, or any part or parcell of them, shalbee good, perfect, and effectual in the law, and shal stand, be taken, & adiudged good, perfect, & effectual in

in the lawe against the Quene, her heires and successors, according to the tenor and effect of the said letters patents, the same to be expounded & iudged most beneficially for the patentees and grauntees of the same, and their assignes, according vnto the wordes, and purport of euery of the said letters patents, without any confirmation, licence, or tolleratio of the Quene, her heires or successors, any misnaming, misrecital, or nonrecital of any the same honours, castelles, manors, lands, tenements, & other the premisses, or of any parcell thereof, or any lacke of finding of offices, or inquisitions, of, & in the premisses, or any part thereof, whereby the title of y^e Quene therein ought to haue bene founde, befoze the making of the same letters patents, or other writings, or any misrecital, or nonrecital of leales thereof befoze made, aswel of recozde as not of recozde, or any lacke of the certaintie, miscasting, rating, or setting forth of the verely value & rate of the premisses, or of the verely rentes reserued, of, & for the premisses, or any parcel thereof, mencioned, or contained in any of the said letters patents, or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in y^e said letters patents or writings, then the said lands, & other the premisses then were, or shalbe in verely value, or any misnaming, or not true naming of y^e townes, hamletes, parishes, or counties, where the same lands, tenements, rents, hereditaments, & other the premisses, & euery parcel, or any parcel thereof lien or bene, or any lack of y^e true naming of the lands, tenements, or hereditaments, or of the natures, kinds, sorts, qualities, or quantities of the said possessions, or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or any lacke of the atturment, luerie, or seisin, or of any misnaming of any of y^e late tenants or sermoys of y^e same honours, manors, lands, tenements, and hereditaments, or any part thereof, so sold, graunted, or giuen, notwithstanding, 18. Cl. 2.

4 ¶ All and singular such patentees, grauntees & donces, & euery of them, which at any time heretofore sithence the saide eightene day of Nouember, in the first yere of y^e Quenes raigne, haue obtained of our soueraigne Lady the Quene, or at any time after y^e session of Parliament ended (xv. Marcij. Anno Do. 1575.) during the space of viij. yeres, shal obtaine of her Maestie by way of exchange or for any summe of money, or other considerations, any letters patentees of any manors, landes, tenementes, or hereditamentes, which at the date and making of the same letters patentees were or shalbe at the time of making such letters patentees, of better and more pcerely value to the Quene, and so answered in pcerely rent and ferme, then was, is, or shalbe contained & specified in any such letters patents or in the particulars or rate thereof, made, or to be

The answer
for the ouerplus
of lands graun-
ted by the Q.
patent.

Patents.

**L. E. yerres pur-
chase.**

**Patentes of
grauntes wher-
unto this Statut
extendeth not.**

**Patentes of
lands whereof
a traverse is
sued.**

**Patentes of of-
fices.**

**Patentes of con-
cealed lands.**

made by any Auditor, Surueior, and other officer, the every such pa-
tentee, graunter, or doner, their heires, executors, or assignes, & every
of them within one yere next after office, or other due p^{ro}ofe, order
and decree thereof to be made within x. yerres next after xv. Marcij,
An. Do. 1575. in the Eschequer, shal pay vnto y^e Quene, her heires
and successours, for y^e same ouerplus of the same lands &c. so sold, gi-
uen, graunted, or exchanged, after the rate of lx. yerres purchase, & ac-
cording to such p^{ro}ely value & rate, as the same lands, tenements, &
other hereditaments were, & answered at the time of the making of
any such letters patents so made or to be made, in maner & sozme
aforesaid, any thing contained in any such letters patents &c. notwithstanding. 18. Cl. 2.

5 ¶ But this act shall not extende to confirme or make good a-
ny lease or leases, made or to be made by the Quene, for terme of
life, liues, or for yerres, whereupon the olde and accustomed rentes,
or moze be not, or hereafter shall not be reserved, and yereley paya-
ble during the terme of every such lease. For this act shall extende
to reuine or make good any letters patents made of any office or of-
fices to any Comptroller, Customer, Aulneger, Searcher, for to
any letters paten³ of the graunt of any other office or offices, here-
tofoze made by y^e Quene, which now be, or at any time heretofore
haue bene determined, or made boide by iudgement, by authoritie
of Parliament, or by decree. For to any patentes to be made to a-
ny person for terme of yerres, or during the minority of any heire,
of any manors, lands, or tenements, whereof any traverse shall be
tendered, within thre monethes after any office founde, & certifi-
ed into any the Quenes courts of record, for to make good any let-
ters patents made by our said soueraigne Lady of any office to bee
of any other effect then the same letters pat^{ts} were or should haue
bene, befoze the making of this acte. Neither shall it extend to any
letters patents, which at any time heretofore, sithence the beginning
of the Quenes reigne hath bene, or hereafter shall be made by the
Quene to any person of any manors, lands, tenements, rents, re-
uerfions, seruces, or other hereditaments, by force of any infor-
mation, suit, or suggestion made or to be made to her highnes, that the
same lands &c. so contained in any such letters patentes, were con-
cealed lands. But the same letters patents, and every of them, shall
remaine and bee in the same force & effect, as they were befoze the
making of this act. 18. Cl. 2.

6 ¶ Sauing to all other persons, and bodies politique and cor-
porat, their heires and successours, and every of them, all such right,
title, interest, possession, estate, leases, rentes, seruces, commons,
and al other p^{ro}fittes & commodities whatsoeuer, as they or any of
them

them should or might haue had, before the letters patentes thereof made, if this act had neuer bene had ne made. 18. Cl. 2.

7 ¶ All feoffements, fines, surrenders, assurances, conueñances & estates, had or made, to or for our soueraigne Lady Quene Elizabeth. 18. Pouemb. Anno 1. of her raigne, or to be made at any time during vii. yeeres (next after the end of this Parliament being 15. die Martii. Anno Do. 1575.) by any person, bodie politique or corporate, of any landes, tenementes, rentes, and other hereditamentes, for any debt, summe of money, or other consideration whatsoever, shall be good and auailable in the lawe, to all intentes, according to the true meaning of the same. Sauing to all and euery person & persons, & their heires, bodies politique and corporate, & their successors, (other then such person & persons, their heires & wiues, being parties or priuies to such conueñances &c. bodies politique and corporate, & their successors &c. of whom y^e Quene hath obtained or purchased, or shall obtaine or purchase during the said vii. yeeres, any lands &c. by exchange, gift, bargain, or other wise) all such right, title, interest, vse, possession, rents, reuerfions, remainders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them haue, might, or ought to haue had, of, in, or to the premises or any part thereof in as ample maner, to all intentes, as if this act had neuer bene made. 18. Cl. 2.

A confirmation
of al assurances
made to the Q.

Other mens
right saued.

8 ¶ An. 34. & 35. H. 8. 21. The like stat was made confirming all letters patentes, indentures, and other writings made, or granted to any person or persons &c. by the said king vnder y^e great seale of Englande, the seale of the Duchy of Lancaster, or the seale of the Court of Augmentations, sithence 4. of Februarie. An. 27. H. 8. vntil 12. Martii. An. 35. of his reigne, and to bee made vii. yeeres after, notwithstanding any misnaming, mispension, misrecital &c. vt supra. And also confirming all exchanges, fines, feoffements, recoueries, deedes inrolled &c. made within the foresaide time, by any persons to the said king, of any landes, tenementes, or hereditaments &c. notwithstanding any misrecital, misnaming, nonrecital, or not naming of any the said landes &c.

A confirmation
of the patents
of king. H. 8.

Lands assured
to king. H. 8.

9 ¶ An. 1. Ed. 6. 8. The like statute was made, confirming all letters patentes, indentures, & other writings made or granted, to any person or persons &c. by y^e said king vnder any of the foresaid seales, sithence 28. Januarii. An. 1. Ed. 6. & to be made during the said kings life, notwithstanding any misnaming, misrecital &c.

A confirmation
of the patents
of king Ed. 6.

10 ¶ An. 7. Ed. 6. 3. A statute was made, confirming all letters patentes, made by the king. H. 8. sithence 4. Februarie. An. 27. of his reigne, & by king Ed. 6. sithence 28. Januarii. An. 1. of his raigne of bargaines and sales, giftes, exchanges, &c. notwithstanding the

A confirmation
of the patents
of king. H. 8.
king. Ed. 6.

Patents.

lacke or losse of the particulers, or the bil assigned of the patents, and not withstanding y^e nonage of the said king Ed. 6. as Duke of Lancaster, or any act, statut, or lawes, for or concerning any tenures, or reseruations of rents or tenths to the contrary &c.

A confirmatiō
of the patents
of king H. and
Q. Marie.

11 ¶ Anno 4. & 5. H. & M. 1. A statut was made, confirming al letters patents, Indentures, and other writings made by the said king and Quene, or by y^e said Quene, vnder y^e great seale of England, or the seale of the Duchy of Lancaster, sithence 7. Julij, An. 1. M. vntil 7. Marcij. Anno Do. 1557. and to be made by y^e said king and Quene, during his. yerres after the said seuenth day of March, not withstanding any misnaming, misrecitall &c. vt supra. And also confirming all feoffementes, fines, surrenders &c. made within the foresaide time by any person, body politique, or corporate, to the said king and Quene, or to the said Quene, of any landes, tenements, or hereditaments.

Within what
time a patent
shalbe sued
forth of a ward-
ship or liuery.

12 ¶ Every person to whom the Quene shall graunt the custody and wardship of any of her wardes, shall vpon his bil assigned thereof, sue forth his patent within 4. monethes next after the assignement of the said bill, or els the same bill, and the effect thereof, shalbe vtterly void. 32. H. 8. 46. And every person to whom the Quene shal graunt any liuery, to be sued vpon his bil assigned thereof, with the Quenes hand, or with the hands of the officers of her Court of Wardes and Liveries, shal sue forth his patent within iii. monethes next after the assignement of the said bill, or els the same bill, & the effect thereof shalbe vtterly void &c. 33. H. 8. 22.

A patte of lāds
seised vpon an
Enquest taken
before an Es-
cheior.

13 ¶ If a Patent be made to any person, of landes seised into the Quenes handes vpon an Enquest taken before an Escheator or Commissioner, or any of the same landes letten to ferme by any of the Quenes officers, vntill the same Enquest bee returned into the Chauncery or Eschequer, and that the landes haue remayned in the Quenes handes, vntill such Enquest bee returned and one moneth after, the patent shalbe void, except such as doe finde them selues greened by the same Enquestes doe come into the Chauncery within thre monethes after the said office put into the Chauncerie, or Eschequer, and doe offer to traaverse the Enquest, and to take the same landes to ferme, shewing good euidence, prouing their traaverse to be true, to whom the landes shalbe let to ferme, to hold vntill the issue vpon the same traaverse be found or the Quene, or the partie fynding sufficient suertie to pursue the said traaverse with effect, and to paye to the Quene the rent if by right it be hers. And then all other patentcs made thereof within the thre monethes shal be void. 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 5. 6. 1. H. 8. 10.

- 1 Wherein an Assise doeth lye against the Queenes patentee, S. Assise. 5.
- 2 That a Patent graunted of the office of a Sheriffe or vnder Sheriffe, in fee, for life, or yeres, shalbe voide, S. Sheriff. 4.
- 3 That Knights fees, aduovvsons, and dovvvers do not passe by patent vvithout speciall vvords, S. Prærogative. 15.
- 4 Howv long a patent made to an Eschetor for that office shall endure, S. Eschetor. 8.
- 5 Of vvhat offices there shalbe no estate graunted by patent, but the Officers shalbe remoueable, S. Officers. 3.
- 6 That a patent made to a Vitailer to bee a Purueiour, for the Queenes carriage is voide, S. Purueiour. 12.
- 7 What things shalbe put in euery patent graunted, to make an Alien Denizen, S. Aliens. 16.
- 8 That an exemplification of a patent shalbe of the same force that a patent is, S. Exemplification. 1.

¶ Periurie.

Euery person, which shall vnlawfully and corruptly procure any witnes by letters, rewardes, promises, or by any other sinister or vnlawfull labour, or meanes, to commit any wilfull and corrupt periurie in any matter, or cause, depending in suit and variance, by any writ, action, bil, complaint, or information, in any wise concerning any lands, tenements, or hereditaments, or any goods, cattels, debts, or damages, in any of the courts of Chauncery, Starre Chamber, Wyllytehall, or in any other of the Queenes courts of record, or in any leete, biewe of frankepledge, or lawday, auncient demesne, court hūdzed, court baron, or in the court or courts of h Stanery in the counties of Denon & Coznewal, or shal vnlawfully & corruptly procure or suborne any witnes, which shall be swoyne to testifie In perpetuam rei memoriam: The euery such offendour shal for his said offence, being thereof lawfully convicted or attainted, forf. xl. li. to h Quene & partie grieved &c. that wil sue by A. J. &c. wherein no W. C. D. J. &c. And if it happen any such offendour being so cōuicted &c. not to haue any goods or cattels, landes, or tenemēts, to the value of xl. li. then he shal suffer imprisonment one halfe yēre without baile or mainprise, and stand vpon the pillozie one whole hower, in some market towne, where, or next adioyning to the place where the offence was committed in opē market there. And no person being so convicted &c. shalbe from thenceforth receiued as a witnes to be depōsed in any court of recorde, vvithin any of the Quēnes dominions of England, Wales, or the marches of the same, vntill the Judgment giuen against him shalbe reuerſed by attainnt, or other wise, &

procuring wilful
full periurie.

Periurie.

upon every such reuersal the partie grieved shal receiue his dammages against al & every such person & persons, as did procure the saide Judgement so reuerſed to be first giuen against him by action, to be sued vpon his case according to the course of the cōmon lawe. 5. Cl. 9. 14. Cl. 3. I I. S. Maintenance. 4.

Committing
wilfull periurie.

4 ¶ If any person either by the subornation, vnlawful procurement, sinister, perswasion, or meanes of any others, or by his owne act, consent or agreement, shall wilfully and corruptly commit any manner of wilfull periurie by his deposition in any of the courtes before mentioned, or being examined Ad perpetuam rei memoriam, then he being thereof duly convicted or attainted, by the lawes of this realme, shall for his saide offence for. xx. li. to the M. & P. grieved &c. that will lue by A. J. &c. wherein no M. &c. P. J. &c. & shall haue vi. moneths imprisonment, without baile or mainprie, & his other from thenceforth shal not be receiued in any court of record &c. vntill the Judgement giuen against him shall be reuerſed by attaint or otherwise. And vpon every such reuersal, the partie grieved shal recover his dammages against all & every such person & persons, as did procure the saide Judgement so reuerſed, to be giuen against him, by action to be sued vpon his case &c. And if the saide offendor haue not any goods or cattels to the value of xx. li. then he shal be set on the pillory in some market place, within the shire, city, or borough where the saide offence shal be committed, by the sherrife or his ministers, if it be without any city, or towne corporate. And if it be within any citie or towne corporate, then by the head officer, or officers of the same city &c. or by his or their ministers, & there shal haue both his eares nailed, & from thenceforth be discredited and disabled for euer to bee sworn in any the courts of record aforesaid, vntill the Judgement shal be reuerſed, & thereupon shal recover his dammages in manner and forme before mentioned. 5. Cl. 9. 14. Cl. 11.

Periurie committed in any ecclesiastical court.

3 ¶ But this act doth not extend to any ecclesiastical court within England, Wales, or the marches of the same, but every such offendor, as shal offend in forme aforesaid, shal & may be punished by such ordinary lawes, as heretofore hath ben, and yet are used in the saide ecclesiastical courts. 5. Cl. 9. 14. Cl. 11.

Periurie punishable in the chamber and other courts.

4 ¶ Aswel the Judge and Judges of every such court where any such suit shal be, whereupon any such periury shal be committed, as also the Iustices of assise, and gaole deliuey, & the Iustices of peace at their quarter sessions, haue power to enquire of, heare, & determine al the offences committed contrary to this act by inquisition, presentment, bill, or informatiō. But this statute doth not restraine the power giuen by a statute made An. 11. H. 7. 25. to the Lord Chauncelour and others of the Quēnes Counsell, to examine & punish riots, routes,

routes, heynous perjuries, and other offences (which haue vsed to heare & determine such matters, in the Starre Chamber at Westminster,) noz to restraine the power of the Lord President & Counsel in the marches of Wales oz in y^e North, noz of any other iudge, hauing absolute power to punish perurie, befoze the making of this statut. But euery of them shal and may proceed in the punishment of al offences, heretofore punishable, in such wise, as they might haue done & vsed to do befoze y^e making of this act, to all purposes, so that they set not vpon the offendours lesse punishment then is contayned in this act. 5. Cl. 9. 14. Cl. 11. to continue vntil the end of the next parliament. S. Iustices of peace. 23.

1 Where, in vwhat cases, and in vwhat manner periurie shall be punished by attain. S. Attaint.

¶ Pewter, Brasse, Pewterer..

NO person oz persons vsing the craft of Pewterers and Brassers, shal sel oz change any pewter oz brasse, new oz old, at any place wⁱⁿ this realme, but onely in open saires, markets, oz in their owne dwelling houses, but if they be desired by the buyers of such wares: vpon paine of 10s. for euery such default to y^e M. & to him y^e wil seise, oz present the same, oz y^e wil sue for the same by A. J. &c. r. li. wherein no W. C. D. &c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Pewter shalbe solde in saires & markets, & in the owners house onely.

2 ¶ If any persō either worke oz cast any pewter vessel oz brasse at any place wⁱⁿ this realme, except it be as good fine metal as is y^e pewter & brasse cast & wrought after y^e perfect goodnes of the same, within the Citie of London, & by the statutes of the same ought to be, he shal 10s. to the vse of the M. & the finder thereof, oz of him y^e wil seise oz sue for the same by A. J. &c. al such pewter & brasse so cast & wrought of worse pewter & brasse &c. But this forfaiture shal not extend to brasse oz pewter being in the possession of any persō, other then the workers of the same, oz such as haue the same to sell, oz being of the crafts &c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Of what goodnesse pewter & brasse vessel ought to be.

3 ¶ No person shal make any hollowe wares of pewter, bz. Salts and Bottes that are made of pewter, called lay mettall, but that it be after the assise of pewter lay mettall wrought within London. And the makers of such wares, shal marke the same with severall markes of their owne, to the intent that they shal auoide the same wares by the wrought, & al such wares not sufficiently made & not marked in forme aforesaide, found in the possession of the same maker, oz seller, shal be forfaited. And if the same ware bee solde, the maker shal forfeite to the vse of the Duene, and of the synder, oz searcher, oz of him that wil seise oz sue for the same by A. J. &c. the value of the same ware, so vnlawfully wrought and solde. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Hollow wares.

Marking of vessel.

Pewter, Brasse, Pewterers.

Occuyping false
beames or
weights about
brasse or pew-
ter.

4 ¶ If any person vsing buying and selling of pewter or brasse do occupie any decepuable, vnttrue, or false beames, or weightes of the said wares, he shal forf. to the D. and the partie that will sue, by A. of debt. rr. s. wherein no D. C. &c. And also the partie so offend-
ding, shal forf. his beame, to him that shall seile it. And if the said of-
fendour be not sufficient to pay his saide summe by him so forf. then
it is lawfull to the Maiors, Bailiffes, or other head officers of such
places where any such offendours shall bee founde, to put him in the
stocks, and so to keepe him vntill the next market day, next adioy-
ning, and in the market place to put him on the pillozie all the mar-
ket time. 19. H. 7. 6. 4. H. 8. 7.

Searchers of
pewter & brasse.

5 ¶ It is lawfull for the master, & wardens of the craft of pew-
terers wthin every City and Borough where such wardens are, and
where no such wardens are, for the head officers, or gouernours of
the same Citie or Borough, to appoint certayne persons, most ex-
pert in knowledge of the same, to make search in the said Cities or
Boroughes where they dwell. And the Iustices of peace in euerye
shire, at their generall Sessions holden at Michaelmas, shall ap-
point ij. persons hauing experience therein, to make searche in the
premisses, in euery part of that shire, aswel within fraunchises as w-
out (sauiug in cities & boroughs, where searchers be appointed by h
Gouernours of the same,) And all such vnlawfull pewter, or brasse,
as the said searchers shall find, shall be to the vse of the Quene & of
the said searchers. And in default of the said Masters and Wardens
of the saide occupations, not searching in four me aforesaide, and
whereby any such vnlawfull metall is cast or made, or vnlawfull
weight bled, it is lawfull to any person hauing sufficient cunning in
the saide occupations, by ouersight of the Maior, Bailiffes, or head
officers of the said Cities, Boroughs, and Townes, to search al the
said places, & to put h saide authozitie and act in execution, in fo:me
aforesaid. 19. H. 7. 6. 4. H. 8. 7.

Searchers of
Tinne or pew-
ter vessel.

6 ¶ If any decepuable workmanship of Tinne or pewter, bee
found either in Chargers, platters, dishes, sawcers, pottingers, tre-
chers, basons, flagons, bottels, pottes, saltsellers, goblets, spones,
cructs, or candlestickes, or any other such wares of Tinne or pew-
ter, whatsoener it be, cast or wrought wthin this realme, or with-
out, and brought to be solde within this Realme, it is lawfull to the
Maior of London, and the Masters & wardens of the craft of pew-
terers of the saide citie and their deputies, to haue search of che same
within h citie of London, & the suburbs of the same. And in al other
Cities, Boroughs & Townes where any Wardens be or shall be,
the Maiors, Bailiffes or head officers and Wardens haue like auc-
thozitie, and where no Wardens bee, then the head Officers, or
gouernours,

gouernours of the same Cities, Boroughs, & townes haue aucthoritie to appoint certaine persons most cunning in knowledge of the same, to make search within the said Cities, Boroughs, & townes where they dwel. And if any such newe wares, wrought of Tinne, and Pewter be found defectiue & being in the possession of y^e Seller, then the same person that putteth any such newe wares of Pewter to sale, shall forfeit the same wares to the Quene, & searchers, or finders, or to him that wil seise or sue for the same by A. J. &c. wherein no W. &c. P. &c. But this act concerning the forfeiture is not prejudicial to any person hauing the graunt of king H. 8. or of any of his progenitors, by his letters patents, of such forfeit. But euery of them shall enjoy the same, according to their graunts, and liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

7 ¶ No person inhabiting within this Realme, shall buy or take by exchange, for other wares, any wares made out of this Realme, of Tinne, or mixt with tinne, as platters, dishes, saucers, pottes, basons, ewers, flagons, goblets, salts, salt sellers, spoones, or any other thing made of tin, or pewter whatsoeuer it be, upon paine to forfeit. (to y^e vse of the D. & the finders thereof) of the same wares, in whose hands soeuer it may be found or take, & also lawfull mony currant in this realme, to y^e full value thereof. And it is lawfull to y^e masters & wardens of y^e craft of pewterers within euery city, borough & towne of this realme where such wardens be, & where no such wardens be, to y^e head officers, or gouernours of y^e same citie &c. to appoint diuers persons most expert in knowledge of the same to make search and seisure of all such wares, as shall be brought contrary to the true intent of this act, in whose soeuer possessions any such shall bee founde 25. H. 8. 9. And if any person do vnlawfully withstand, disturbe, or let the said master, & wardens or their deputies, or any of y^e head officers or gouernours of Cities Townes or Boroughs, wherein no such master & wardens are, in searching & seising such wares as shall be brought into this realme contrary to the forme aforesaid. Then euery such person so offending shall forfeit for euery tyme so doing to the vse of the Quene and J. v. li. to be recovered by A. J. &c. wherein no W. &c. P. &c. 33. H. 8. 4.

8 ¶ No stranger borne out of this realme shall vse the said craft of pewterers, nor worke any maner of vessel, or other ware aforesaid, to be made upon tinne or pewter, within any place of this Realme, vpon paine of forfeit. of x. li. to y^e vse of y^e D. & J. to be recovered by A. J. &c. wherein no W. &c. P. &c. And also vpon paine of forfeit. of the same pewter or tinne so wrought, in whose handes soeuer it may be found, or taken. 25. H. 8. 9. 33. H. 8. 4.

9 ¶ No persons being borne within this Realme, occupying

Wares of tinne made out of this realme.

Withstanding seisure.

No stranger borne that worketh pewter.

Phisitions.

No petwoerers
shal teach or ble
his trade in a
tope in region.

or exercising y^e said craft of petwoerers, shal resort into any strange regions, or countries, there to teach, or exercise y^e saide craft of petwoerers, vpon paine to lose the priuiledge and benefit of an Englishman. 25. H. 8. 9. 33. H. 8. 4.

¶ Phisitions.

The phisitions
in London
made a body
corporate.

President of
the Colledge.

A comon scale.

Sue & be sued.

O'dinaries.

KING Henry the eight by his letters patentes bearinge date at Westminster y^e xiiii. day of Septēber, in y^e x. yere of his raigne, did erect, constitute, ordayne, and appoint a perpetuall Colledge of graue & learned men, which shoulde openly practise phisicke, within the Citie and suburbes of London, and within vii. miles euery way round about the same Citie, And did graūt that al men of the same facultie, of, and in the said Citie, shoulde be in deed and name one bodye and a Comminaltie, or Colledge perpetuall. And that the same Cominalty, or Colledge may yere by yere choise & make of their cominaltie some wise man, & expert in the science of Phisicke, to be President of the said Colledge or comminaltie, to ouersee, correct, & gouerne for y^e yere the foresaid Colledge or comminaltie, & all men of the same facultie, and their affaires, And that y^e same President and Colledge or comminalty shoulde haue a perpetuall succession, & a comon scale continually to be employed vnto the businesse & ble of the said President & Colledge. And that they and their successors for ever shoulde be persons able, & of sufficient capacity to purchase & possesse in fee & perpetuitie, any lands tenements rents & other possessions whatsoeuer. And y^e they & their successors might purchase as wel within the City as without, any lands & tenements whatsoeuer not exceeding the value of xli. li. by the yere, notwithstanding Stat. of mortmaine. And that they by the names of the President of the colledge, or cominaltie of the faculty of phisicke in London, may implead and be impleaded befoze any Judges, in any courts or actions whatsoeuer, And that y^e foresaid President, & Colledge or comminalty and their successors may lawfully make honest and lawful congregations, statuts, & ordinances for the gouernment, oversight, & correction of y^e said Colledge or comminalty and of all men practising phisicke, within the said Citie & vii. miles round about, as necessitie requireth without impediment of the king his heires, successors, or any of his officers. And that no man in the said City or within vii. miles compasse thereof, shall practise y^e said facultie, except he be admitted thereunto by the saide President and comminaltie, or their successors for the time being, by y^e letters of the said President and cominaltie sealed with their scale vpon paine of C. s. for euery moneth that any which is not admitted, shall practise y^e foresaid facultie,

altie, whereof one halfe to be imployed to the kinges vse, and the o-
ther to the vse of the President and comminalty. And that y^e Pre-
sident and Colledge of the foresaid comminalty, for the time being,
and their successors, for euer shal perely chose solwe which shal haue ^{dist. governors.} the surney, search, correction and gouernance, of all the Phisitions
of the said Citie, vsing the facultie of Phisicke, within the same ci-
tie, and of other forein phisitions whatsoeuer vsing the same facul-
ty w^{thin} y^e same city & suburbes, or within vij. miles copas of y^e same
Citie, & the punishment of them for their offices, in not well execu-
ting doing & vsing thereof, and also the surney and search of all ma-
ner of Medecines, and their reccites to be giuen imployed and bled
by the same Phisitions, or any of them, to any of the kinges liege
people for the curing and healing of their diseases, as often & whe-
loener it shal be needful for the profit of the same people, so that the
punishment of the same Phisitions vsing the said facultie, so offen-
ding in the Premises, be executed by fines, amerciamētes, impriso-
ment of their bodies, & by other reasonable and conuenient wayes.
And that neyther the President nor any of the sayde Colledge of
Phisitions, nor their successors, nor any of them practising Phy-
sicke within the foresaide citie, suburbes, or els where, shal be som-
moned, or put in any assises, Juries, Enquestes, Inquisitions, At- ^{Not somoned}
taintes, and other recognisances take or sommoned within the said ^{in iuries.}
City and suburbes, befoze the Maior and Sheriffes, or Coroners of
the said Citie, or any officer or ministers of theirs, though the same
Juries, Inquisitions, or recognisances, were sommoned vpo writs
of right. But that the saide Masters, Gouernors, cominaltie, & their
successors, and euery of them practising the said facultie, shal be for
euer discharged against the sayde King his heires, and successors,
and against the Maior and Sheriffes, of the foresayde Citie for the ^{The libertie of}
time being, and all their officers. In which letters patentes there ^{London saued.}
is a Prouiso, that the sayde letters or any thing therein contayned,
shall not bee preiudiciall to the Citie of London or the liberties
thereof.

2 ¶ After by the statutes made 14. H. 8. & 1. H. 9. y^e said cor- ^{The corporatiō}
poration of y^e said cominalty, & fellowshipp of the facultie of phisicke ^{of phisitions}
& euery graunt, article, and other thing contained in the said letters ^{confirmed.}
patents, be approued, graunted, & confirmed & clearely aucthorised, &
admitted by y^e same, good, lawfull, auailable to the said bodie corpo-
rat and their successors for euer, in as large maner as may be take,
thought, and construed by the same.

3 ¶ There shalbe eight persons of the said comminaltie, which ^{dist. Electors,}
shall be called Elects, and the same Elects shal perely chose one of ^{President.}
them

Phisitions.

them to be President of the said comminalty, and as oftē as any of the Romethes of the same Electes shalbe voyde by death, or other wise, then the surueiours of the same Electes, within thirtie or fortye dayes after the death of any of them, shall chōse and admitte one, or more, as neede shall require of the most cunning and expert men of the said facultie in London, to supplie the saide rometh and number of eight persons, so that hēe or they that shall bēe so chosen, bēe first by the sayde surueiours straitley examined after a forme deuised by the sayde Electes, and also by the sayd surueyours approued. 14. H. 8. 5.

Imprisonmēt
of offendours.

4 ¶ Whensoeuer the President of the said Colledge &c. or such as the said President, or Colledge shall perely aucthorise to searche examine, & punish al offendours in the saide facultie, within the same Citie & p̄ecinct, shall commit any such offendour for his offences or disobedience (contrary to any article, or clause contained in the sayd graūt, or act made 14. H. 8.) to any ward, gaole or p̄isen within y^e saide Citie and p̄ecinct (the Tower of London except:) Then the Warden, gailer, or keeper of the p̄ison shall receiue into his p̄ison euery such persō so offending as shalbe so committed to him, & there shal safely keep him at the proper costs of the said person so committed without baile or mainp̄rise, vntill such offendour be discharged of the said imprisonment by the said President, and such persons as by the said Colledge shalbe aucthorised, vpon paine that euery such warden, gailor &c. doing contrary, shal forfeit to the vse of y^e D. & the said President and Colledge, the double of such fine and amerciamēt as such offendour or disobedient shalbe assessed to pay by such as the said President & Colledge shal aucthorise, so that y^e same fine and amerciamēt be not at any time aboue xx. li. to be rec. by A. J. &c. where, in no W. &c. C. P. &c. 1. H. 9.

Phisitions dis-
charged to be
officers in
London.

5 ¶ The President of the said comminaltie, and euery fellowe thereof, and their successors shalbe discharged to keepe any watch or ward in the Citie of London, or suburbes of the same. And they nor any of thē shalbe Chosen Constable, or any other officer in the said citie or suburbes. And if the said President or any of y^e said fellowes be appointed or elected to any watch, or warde, office of Constable, or other office within y^e said citie or suburbes, the same appointmēt or election shalbe vaide. 32. H. 8. 40.

Euery phisitio
shalbe allowed
by the Bishop
or the Diocesse.

6 ¶ No person out of the Citie of London, and p̄ecinct of vii. miles of the same (except he hath ben approued in y^e same) shal take vpon him to exercise & occupie as a phisitio in any diocesse w^{thin} this realme, but if he hath bene first examined & approued by the Bishop of y^e same dioces, or (he being out of y^e diocesse) by his vicar general, either of them calling to thē such expert persons in the saide faculty,

as

as to them shal some good, and geuing their letters testimonial vnder their seale to him that they shall so approue, vpon paine of forf. for euery moneth that he doth occupy, not examined and approued v. li. to the vse of the D. & J. to be recovered by A. of debt, wherein no W. p. sc. But this act is not p̄iudicial to either of the vniuersities of Oxford or Cambridge, or to any p̄uiledges graunted to them 3. H. 8. 11. And in the same statute it was further enacted y no person within London or vij. miles compasse, should occupie as a phisition except he be first approued, and admitted by the Bishop of London or the Doane of Bowles, calling to him iiii. Doctors in phisicke. But. S. 1. & 2. & Quere.

7 ¶ No person shall bee suffered to practise in phisicke throught Englande, vntil he be examined at London by the President of the Colledge of the facultie of Phisicke, & iij. of the Electes, and hath from the said President or Elects letters testimonials of their approuing & examination, except he be a Graduat of Oxford or Cambridge, which hath accomplished al things for his forme without any grace. 14. H. 8. 5.

Quere.
Every phisition
shal be allow'd
by the President
& iii. Elects.

8 ¶ The President for the time being, cōmons & fellowes of the fellowship of the facultie of Phisicke in Londō, and their successors, may perely elect iiii. persons of the said fellowes of the best learned, wisest and most discreete, and the said iiii. persons so elected after a corporall oth to them ministred by the said President or his deputy, haue aucthoritie as oftē as they shal thinke conuenient, to enter in to the house of al and euery pothecary vsing the misterie of apothecary wīn y said city, only to search, view & see such pothecary wares, drugges, & stufte, as the saide pothecaries or any of thē haue in their houses, and al such wares, drugges and stufte as the saide iiii. persons shal then finde defectiue, corrupted, and not mēte to bee ministred in any medicines for the health of mans body, the same iiii. persons calling to them the Wardens of the saide misterie of pothecaries within the saide Citie, or one of them, shal cause to be burned, or other wise destroy y sae, as they shal thinke mēte 32. H. 8. 40. But if the said Warden, or wardens do refuse, or delay his or their coming thereunto forthwith when the sayde President or iiii. of his Colledge elect do call vpon him or them: then the sayde Phisitions may and shal execute that search & view, and the due punishment of the pothecaries for any their euill & faultie stufte, without the assistance of any of the said Wardens. 1. H. 9. And if any of the said pothecaries at any time doe obstinately or willingly refuse, or deny the said iiii. persons to enter into his house, for y causes befoze rehearsed, then for euery time y he doth so offend, he shal forf. to the D. & J. v. li. to be rec. by A. J. sc. wherein no W. sc. C. p. sc. 32. H. 8. 40. And every

iiii. Phisitions
shal search, po-
thecary wares.

Piracie.

every such person as will resist such search, shall forfeit. x. li. to the M. & the said President & Colledge, to be rec. by A. J. &c. wher ein no W. &c. C. &c. 1. M. 9.

*Elects refusing
to be sworn, or
to make search.*

9 ¶ If any of y^e said iij. persons so elected, do refuse to be sworn, or after his othe to him ministred, do obstinaty refuse to make the said search once in the yere, at such time as they shall think convenient. having no lawfull impediment by sicknesse or other wise to the contrary, then for every such obstinat default, every of them making default, shall forfeit. xl. s. 32. H. 8. 40.

*Other magi-
strates that assist
the phisitions.*

10 ¶ Al Justices, Maiors, Sherifes, bailifes, constables & other ministers & officers wⁱⁿ the citie & suburbs of London, & vij. milles compas of the said citie, vpon request to them made, shall ayde and assist the President of the said Colledge, & al persons by them from time to time aucthorized, for the due execution of the foresaid statute 14. H. 8. & 32. H. 8. vpon paine for not giving of such aide, helpe, and assistance to runne in contempt of the Dukes maieste, her heires and successors. 1. M. 9.

1 That no Phisitions may practise surgerie. S. Surgeons. 2.

¶ Piracie.

*Trial of offences
done within
the Admirals
jurisdiction.*

AL treasors, felonies, robberies, murders, and confederations, committed vpon the sea or in any other haven, river, creeke, or place where the Admiral hath, or pretendeth to have iurisdiction, shalbe inquired, tried, heard, determined, and iudged in such shires & places in the realme, as shalbe limited by the Dukes commission, or commissions to be directed for the same, in like forme, as if any such offences had bene committed vpon the lande. And such commissions shall be had vnder the great seale, directed to y^e Admiral, or his lieutenant, & deputie, and to iij. or iij. such other as shalbe appointed by the Lord Chaunceloz, as oft as neede shall require to heare & determine such offences after y^e com^on course of y^e lawes of this land used for treasors, felonies, robberies, murders, & confederacies of y^e same committed vpon the lande within this realme. 28. H. 8. 15. S. Treason. 13. That the trial of treasors shalbe according to the due course of the common lawe. Et ideo quare.

*Quare.
The commissio-
ners aucthority.*

2 ¶ Such persons to whom such commissions shalbe directed, or iij. of them at the least, shal have power to enquire of such offences, by the othes of twelve good and lawfull inhabitants in the shire, limited in their commission, in such manner, as if such offences had ben committed vpon the land, within the same shire, every indictment found and presented before such commissioners of any treasors, felonies, robberies, murders, manslaughters, or such other offences committed vpon the seas, or vpon any other haue, river or creeke, shalbe
god

god and effectual in the lawe: and if any person happen to bee indicted for any such offence done vpon the seas, or in any other place as bene limited, then such order, proces, iudgement, & execution shalbe made, & made to & against enery such person so indicted, as against traitors, felons, & murderers, for treason, felonie, robbery, murder, or other such offences done vpon the lande. And the trial of such offence (if it be denied by y^e offēdor) shalbe had by twelue lawfull men inhabited in y^e shire limited within such cōmission, & no challenge to be had for y^e hundred. And such as shalbe conuict of any such offence by verdict, confession, or proces, by anthoritie of any such cōmission, shall suffer such paines of death, losses of lands, goods, & cattels, as if they had bene attainted and conuicted of any of the saide offences done vpon the land. An. 28. H. 8. 15.

3 ¶ This act shal not be prejudicial to any person for taking any bitaile, gables, ropes, ankers, or sailes, which he cōpelled by necessity, taketh in any shippe, which may conveniently spare the same, so the same person paye out of hande for the same bitaile, cables &c. money or money worth, to the value of y^e thing so taken, or both deliver for y^e same a sufficient Bil obligatorie to be paid in for me following. bz. if y^e taking of y^e same things be on thyside y^e strates of marroke, the to be paid w^{thin} iiii. moneths, & if it be beyond y^e saide strates, then to be paid w^{thin} xii. moneths next ensuing the making of such billes, & y^e the makers of such billes truely pay the same debt at the day limited w^{thin} the said billes. 28. H. 8. 15.

Things taken
vpon necessity.

4 ¶ Whensoeuer any such cōmission for the punishment of any of the offences aforesaid shall be directed to any place within the jurisdiction of the five portes, Then it shall be directed vnto the Lord warden of the saio portes, or to his deputy, & vnto iiii. or iiii. such other persons, as the Lord Chaunceloz shall appoint. And euerie inquisition, and trial there, of any of the offences aforesaid, shall be made by the inhabitantes in the said five portes, or the members thereof. 28. H. 8. 15. S. Admiral. 2.

Commissions
directed into
the v. portes.

¶ Playes & games.

N O person by himselfe, or any other, shall for his gaine or liuing, keepe or maintaine any common house, allay, or place of bowling, quoyting, closh, cailles, halfebowles, tennis, dicing, table, or carding, or any other maner of game prohibited by any estatut, or any vnlawful new game now inuēted or made, or any other new vnlawful game hereafter to be inuēted, sold, or made, vpon paine to forfeit for every day keeping or mainteining, or suffering any such game to be had, kept, executed, played or maintained w^{thin} any such house, garden, alleie, or other place, cōtrary to y^e forme & effect aforesaid xl. s.

Maintenance
of houses for
vnlawfull
games.

And

Playes, & games.

Playing at vn-
lawfull games.

And also every person vsing and haunting any of the saide houses & places, and there playing, shall forfeit for every time so doing vij. s. viij. d. 33. H. 8. 9.

Placards.

2 ¶ If any person sue for any placard to haue common gaming in his house, contrary to this statute, Then it shall be contained in y^e same placard what game shall be vsed in the same house, and what persons shall play thereat. And every placard graunted to the contrary shall be voyde. And also the partie obtaining any such placard, before he put the same in execution, shall be bound with sufficient suerties with him by recognisance in the Chauncerie, in a certain sūme to be appointed by the Lord Chancellor, that he shall not vse the said placard contrary to y^e forme thereof. 33. H. 8. 9. But by y^e stat. made, An. 2. & 3. H. 4. H. 9. Every licence, placard, or graunt, before that time made to any person or persons, for the hauing, main-
taining, or keeping of Bowling alleys, dicing houses, or other vn-
lawfull games prohibited by the lawes and statutes of this realme, were made voyde.

Persons prohibi-
ted to play at
vnlawfull
games.

3 ¶ No artificer or craftsman of any handicraft, husbandman, apprentice, labourer, seruant at husbandry, iourneyman, or seruant of artificers, maryners, fyshermen, watermen, or any seruing man, shall play at the tables, tenis, dice, cardes, bowles, clashi, copping, logating or any other vnlawful games out of Christmas, vnder the paine of twentie shillings to be forfeited for every time, and in Christmas to play at any of the said games in their masters houses, or in their masters presence. But it is lawful for every master to licence his seruants to play at cardes, dice, or tables with their master, or any other gentleman repairing to their master, openly in his house, or in his presence, & it is lawful for every such seruant for every time so being licenced as is aforesaid to play &c. 33. H. 8. 9.

Playing by
licence.

Bowling.

4 ¶ No person shall at any time play at any Bowle, or bowles in open places out of his garden or orchard, vnder the paine for every time so offending to forfeit fyre shillings eight pēce. But it is lawful to every noble man, & other, hauing lands, tenement, or other perely profits for terme of life, in his owne right, or in his wiues, to y^e perely value of C. li. or aboue, to commaund or licence his seruants of his house for to play within y^e precinct of his house, garden, or orchard, at cardes, dice, tables, bowles, or tennis, as well amongst the selues, as other repairing to the saide house, and they so playing by commandement or licence shall not incurre any penaltie contained in this act for the same. 33. H. 8. 9.

Justices may re-
presse
vnlawfull
games.

4 ¶ It is lawful to al and every the Justices of peace in every shire, Maiors, Sheriffes, Bailiffes, and other head officers, within every Citie, Towne, and Borough, from time to time as well
within

within liberties, as without, as neede & ease shall require, to enter & resort into al houses, places, and Alleys where vnlawful games shal be suspected to be holden or vled, contrary to this statut: And aswell the keepers of the same, as also the persons there resorting & playing, to arrest and imprison, & to keepe in prison, vntill the keepers of the said playes & games, haue found suerties to the Quenes vse, to bee bound by recognisance or other wise, no longer to keepe or occupy any such house, play, game, alley, or place. And also the persons there so found, shal in like case be bound by them selues, or els with suerties by the discretion of the Iustices, maiors sherifes &c. no moze to play haunt, or exercise from henceforth, in, at, or to any of the said places, or games. And al Iustices of peace, Maiors, and head Officers &c. & euery of them, finding or knowing any person vsing any vnlawful games, contrary to this statut, haue aucthority to comit euery such offendor to warde, there to remaine without bayle or maynepryse, vntill such time he be bound by obligation to the Quenes vse, in such summe of money, as by the discretion of the sayd Iustices, Maiors, Bailiffes &c. shalbe thought reasonable, & he shall not from thenceforth vse such vnlawful games. 33. H. 8. 9.

6 ¶ If the Maiors, Sherifes, Bailiffes, Constables, and other head officers within their cities, boroughes, and townes, aswell in franchises as without, do not make due search weelkely, or at the furthest once euery moneth, if the case so require, in al places, where any houses, alleys, playes, or places of vnlawfull games shalbe suspected to be had & maintained, & do not execute & statut in al things, according to the purport of & same: Then euery such Maior, or other head officer, shal for. for euery moneth, not making such search, nor executing & same p.l.s. And al Maiors, bailiffes, sherifes, & other head officers, shal once euery quarter, make proclamation of this statute in euery market holden within their seueral iurisdiction. And in like sort shal the Iustices of assise, gaole deliuey, & peace, in their seueral circuits & sessions befoze them holden, to the intet euery person may haue knowledge of the same. 33. H. 8. 9.

Officers shal make search where vnlawful games be.

proclamation of this statut.

7 ¶ Where any forfaiture geuen by this statut shalbe founde in any franchise, leete, or lawday, & Lord of the same shal haue & one moitte therof, & any of & Quens subiects, shal haue the other & wil sue for & same in any of the Quenes courts. And where such forfaiture shalbe found out of the precinct of any franchise, leete, or lawday, the one moitte therof shalbe to the D. & the other to any of her subiects that wil sue for the same, by A. J. &c. wherein no M. C. D. &c. But al informations, actiōs, suits &c. & shalbe sued bpō any part of this statute, shalbe comenced wīn the pere after & offence comitted, or other wise no aduantage therof shalbe taken. 32. H. 8. 9.

who shall haue the forfeitures.

Poore People.

The helpe and
speede of poore
persons in suit.

Every poore person which shall have cause of action against any other, shall have by the discretion of the Chaunceloz, writs original, & writtes of Sub pena, accordinge to the nature of his cause, nothing payinge to the Quene for the seales of the same, nor to any person for the writting of the same writs, & the said Chaunceloz shall assigne such of the Clerkes, which shall be the making and writting of the same writs, to writt the same ready to be sealed, & also learned Counsell & attornies for the same, without any reward taking thereof. And after the said writs be returned, if it be before the Quene in her bench, the Justices there shall assigne to the same poore person counsell learned by their discretions, which shall geve their counsell, nothing taking for the same. And in likewise the Justices shall appoint attornies for the same poore person, & aliother Officers requisite to be had for the speede of the said suits, which shall do their duties without any rewardes for their counsells, helpe, and busines in y^e same. And the same law and order shall be observed of al such suits to be made before the Quenes Justices of her comon place, & Barons of her Elchequer, & al other Justices in courts of record, where any such suits shall be. 11. H. 7. 12.

Order for the
placing & reliefe
of the poore.

2 Anno 14. El. 5. It was enacted, that the Justices of peace of al shires of England & Wales, and al other Justices of the peace, Maiors, Sherifes, Bailifes, & other Officers of every citie, borough, riding, and franchises within this realme, whereof they be Justices within the limits of their aucthority, shoulde immediately after devide them selves, and so being devided, shoulde within every of their severall divisions and aucthorities, make diligent inquirie of al aged, poore, impotent, and decayed persons, bozne within their said divisions and limits, or which were there dwelling within iij. yerres next before the said Parliament, which line, or of necessitye be compelled to live by almes, of the charity of the people abyding within the limits of their commissions, and shoulde upon that searce make a register booke, containing the names and surnames of al such aged, decayed, & impotent poore people, as be within their said limits, which shall alwaies remaine with the said Justices, or other head officers, or one of them. And when the number of the sayd poore people bee by that means truly knowen, then the sayd Justices, Maiors, and other Officers, shoulde within like convenient time, appoint within every their severall divisions, convenient places to settle the same poore people for their habitations and abydinges, if the parish within the which they shall be sounde, shall not, or will not proude for them. And shoulde also within like convenient time, number al the sayd poore people within their said severall limittes, and thereupon having regarde to the number set downe what porcion the weekly charge

Habitations
for the poore.

charge towards the reliefe of the said poore people will amount vnto ^{Reliefe of the} 10, in euery their severall diuisions, and that done they should asseſſe ^{poore.} all and euery the inhabitants, dwelling in euery Citie, Borough, towne, village, Hamlet, and place knowen, within the said limits to such charge, as euery of them shal weekly contribute towarde the reliefe of the said poore people, and the names of all such inhabitants taxed, should also enter into the saide Register booke, together with their taxation, and also should within euery their said diuisions, appoint Collectors for one whole yere, of the said weekly portion, which shal collect the saide portion, and make deliuerie of so much thereof to the said poore people, as the said Iustices, Maiors, & other officers shal appoint them. And also should appoint ouerseers of the said poore people, to continue for one yere, and if they refuse to bee ouerseers, then euery of them to forfeit x. shillinges for euery such default. 14. Cl. 5.

Collectors for
the poore.

Ouerseers of
the poore.

3 ¶ The Maiors and other head Officers of euery Citie, Borough, or Towne corporate, or their sufficient deputies, & the Constables, or tythingmen of euery hundred, rape, and wapentake, with in euery the shires in England and Wales, in euery such abyding place within their hundreds and precinctes appoynted to settle the poore people in, shal once euery moneth next after the sayd places be inhabited with the said poore people, according to the intent of this act, make a search of al the aged, impotent, and lame persons, within the precinct of their iurisdictiones, and al such persons as they shal find not being borne within that diuision, nor within the said cyties, boroughes, or townes corporate, then shal they presently see them, not there borne, nor dwelling within the said iij. yerres, (except Leprous & Bedred people) to be conueied on horsebacke, cart, or other wise, as they shal thinke good, to the next Constable, & so from Constable to Constable, the direct way, til the said person be brought to the place where he or she was borne, or most couersant, by the space of thre yerres next befoze, & there to be put in one of the abyding places in that countrey, appointed for the habitation of the poore, & there to be kept of almes, as is aforesaid, vpon paine of xx.s. to be forfeited by euery Officer that neglecting. 14. Cl. 5.

Search and
remouing of
poore persons.

4 ¶ If any of the said poore people, vpon the appointment of the said Iustices or other Officers, refuse to be bestowed in any of the sayd abyding places, but couet still to hold on his trade of begging, or after he be once there bestowed, do depart & begge, then for the first offence he shalbe accompted a vagabond, and suffer as a vagabond in the first degree of punishmant, and if he do the second time offed, then he shalbe esteemed as a vagabond, and suffer as a vagabond in the last degree of punishment in all points. 14. Cl. 5.

poore refusing
to be bestowed,
or departing &
begging.

Poore people.

Refusing to be
a Collectoꝝ for
the poore.

5 ¶ If any person appointed to be a Collectoꝝ, as is aforesaid, shal refuse the said office, oꝝ shal after he hath agreed to it, neglect þe same, he shal foꝝ. foꝝ every offence to the vse of the poore of þe same place xl. s. to be leued by distress, oꝝ recovered by action, bill, playnt, oꝝ information, in any court of Record, oꝝ lordes court, by þe hych Constables oꝝ Tythingmen aforesaid, in which no W. C. J. &c. And if the said hych constables shalbe negligent to sue, oꝝ shal refuse to sue the saide Collectoꝝ & euerye of them, within two monethes next after such refusal oꝝ negligence. Then the said hych constables oꝝ tythingmen shal foꝝ. v. li. to the vse of the poore of þe same place, to be sued foꝝ, by and in the name of two of the next Justices of the said place, being out of cities, boroughs, and townes corporate, If within, then by the bailifes, head officers &c. of the said cities &c. in any Court of record, oꝝ lordes court, by A. J. &c. wherein no W. C. J. &c. And al foꝝ. appointed oꝝ to growe by this stat (except the foꝝsaures of Justices of peace) shal wholly go & be employed to the vse of the poore aforesaid, & shalbe leued by distress, by the discretion of the Justices of the same countie oꝝ two of them, oꝝ other head officers aforesaid. 14. Cl. 5.

How the foꝝ-
saures shalbe
employed.

Collectoꝝ
accompt.

6 ¶ Euery of the said Collectoꝝ shall make their accōpt halfe yerely, of their said collection to ij. Justices of the peace, dwellinge next to the said abyding place oꝝ places, not being within any City, borough oꝝ towne corporate, oꝝ to the chiefe officers &c. of þe said cyties &c. whē they go out of their offices, they shall deliuer foꝝthwith vpon their accompts, al such surplusages of their collection, as shall the remaine vndistributed, to be ordered by the said Justices oꝝ head officers, vpon paine of x. li. If any such collectoꝝ shal refuse to make his accōpt, oꝝ neglect þe same, by þe space of xliij. daies after request to him therfoꝝ made, the said ij. Justices oꝝ one of the shall cōmit him to the next gaole of the said countie, there to remaine wyth out baile oꝝ mainprise, til he hath made his said accompt & deliuerie of al such surplusages, as he hath receiued. 14. Cl. 5.

Refusing to
geue reliefe to
the poore, oꝝ
discouraging
others.

7 ¶ If any person being able to further this charitable woꝝke, will obstinately refuse to geue towarde the reliefe of the saide poore people, oꝝ do wilfully discourage others from so charitable a deed, he shal presētly be brought before ij. Justices of þe peace, wherof one to be of þe Quorum of the sae countie, to thetwe the cause of his obstinate refusal, oꝝ wilful discouragemēt, & to abide such order therein, as the said Justices shal appoint, if he do refuse so to do, then to be cōmitted to the next gaole of þe said shire, there to remaine vntil he be cōfessed with their said order, & do perfoꝝme the same. 14. Cl. 5.

Impotent per-
sons appointed
to woꝝke.

8 ¶ If any of the said aged and impotent persons, not beynge so diseased, lame, oꝝ impotēt, but that they may woꝝke in some maner of

of worke, shalbe by the ouerscers of their said abyding place appointed to worke, if they refuse, then they shalbe whipped & stocked for their first refusall, & for their second refusall be punished, as in case of vagabondes in the first degre of punishment. 14. Cl. 5.

9 ¶ If any impotent person hauing a competent allowance provided for him within his parish, shal notwithstanding without licence wander abroad, loytering & begging, he or she shal for his or her first offence, be whipped, & so returned againe vnto his ec. parish. And if such person shal then oftsones offend, being so provided for, then he shal suffer as a roge in the first degre, & if the sayd person shal then oftsones offende, then hee shal suffer such paines & forfeitures, as a roge in the seconde degre ought to doe, and so such further paynes and penalties, as by the Statut to Roges is limited, which offences shalbe tried, inquired of, heard, and determined, as the like offences of other Roges. 18. Cl. 3.

The poore ha-
uing allowance
shal not wan-
der abroad with-
out licence.

10 ¶ Thre Justices of peace, whereof one to be of the Quorū, with the surpluses of the said collections & forfeitures, (the sayde poore & impotent people satisfied and provided for) shal in such con- uenient places within their sheres, as they shal thinke mete, settle to worke the roges & shalbe disposed to worke, bozne within their coun- ties, or there abiding for the most part, within thre yeres, there to be holden to worke by the oversight of the said ouerscers, to get their linings, & to be sustained only vpon their laboz, 14. Cl. 5.

The employing
of the surplus-
age of the col-
lection.

11 ¶ It shalbe lawfull for the Justices of peace in their open ses- sions, or for the most part of them there assembled, within any the counties, cities, or toowns where collection of money cannot presen- tly be had, as this act appointeth, to graunt licence vnder their handes & seales, to such & so many of & sayd poore and impotent, or diseased persons, or to any other persons by the said Justices assigned for the said poore, to aske, gather, & receiue twain such other to wne, parish, or parishes of the said county, as the said Justices there then shal spe- cially assigne, the charitable deuotion & almes, at & houses of the in- habitants of such toowns or parishes, so that they do appoint the said poore so to be releued onely within & to wnes & parishes being with- in the deuissions of the same Justices, & so shal geue any such licence or licences. And the inhabitants of every such parishes, to the which such poore or impotent persons shalbe so appointed, shalbe bound vnder such paine as to the discretion of the said Justices ec. shal seeme convenient to relieue the said poore & impotent persons, in such sort, as & sayd Justices there asssembled shal appoint. And if any citie or towne corporate, haue in it more poore folkes, then & inhabitants thereof shalbe able to relieue, in such case, vpon certifficat therof made, & of & number and names of the persons with which they be so surcharged

Licence to
begge.

Relieving of
those which
haue licence.

Cities or towne
corporate ouer-
charged with
poore.

Poore people.

unto the Justices of the peace of the Countie, in which such Citie, or towne corporat shalbee situat, at their quarter Sessions by two Justices of peace of the said countie, & the Maior, and other head officers of y^e same Citie or Towne corporate, the Justices may in the same sessions cause the same poore folkes so certified to be relieved, by giving of licence to begge, or otherwise, in some other places of y^e said county, out of such city or towne corporat so surcharged. 14. Cl. 5.

A Citie being a
county of it selfe
overcharged
with poore.

12 ¶ If any Citie or towne corporate, have in it more impotent and poore folkes not able to labo^r, then the same is able to relieue, & the said citie or towne corporat is a Countie of it selfe, or situate in one countie, and immediatly adioyning to another, in thole cities or townes, y^e Maior or head officers of y^e same shall make certificat to the Justices of the counties adioyning, which in their general sessions shal geue licence, & follow the order above remembred, according as other Justices of the counties in y^e which any towne or parishes surcharged standeth, are authorized to do. 14. Cl. 5.

Money gather-
ed in London
Cowntie,
Gloucester.

13 ¶ Every summe of money collected within the City of L^odon, & the liberties of the same, by vertue of this act, shalbe paid unto the Governour of the Hospital of Ch^risties church, within the sayd citie. And every summe collected within the citie of Cowntrie and the liberties of the same, by vertue of this act, towards the maintenance & reliefe of the Hospital of poore people, erected in the same citie, shalbe paid unto such Governours of the said Hospital, as shalbe appointed by the said Maior and Aldermen of the said Citie &c. And every summe collected or paid within the citie of Gloucester, the liberties & limits of the same, for y^e ble & reliefe of the poore, & every other reliefe which shalbe payable &c. within the said citie &c. towards y^e reliefe of the said poore, shalbe payed at the only disposition of y^e President & Governours of the hospital of S. Bartholomew. And y^e sayd summes shalbe from time to time distributed & bestowed for the reliefe of y^e poore of the same th^r severall Cities, according to the discretions of the foresaid severall Governours. 14. Cl. 5.

As roge shalbe
brought out of
Ireland or the
Ile of Man.

14 ¶ No person having charge of any voyage in passinge from Ireland, or from the Ile of Man into this Realme, shal willinglye transport, or suffer to be transported into any ship, vessel, or boate out of Ireland, or the said Ile of Man into England or Wales, any vagabond, roge, or begger, or any such as shalbe forced, or lyke to lyue by begging, being borne in Ireland, or in the Ile of Man, upon pain to forsaith for every such vagabond &c. being transported & set on land in any part of England or Wales rr. s. to the ble of the poore of the same parish in which they were set on land, to be leuted by the Collectors of the same poore, by seisure and selling of any the goods and cattels of the same person, whitch so shal transport any such vagabond &c.

to the value of the same forfeiture, and upon payne that the same vagabonds, rogues, & beggers so set on land, to bee punished as other vagabonds. And if any such Spanlike or Irish roge or begger, shalbe set on lād in any part of England or of Wales, the same shalbe carried to the next port, in, or neere where he was landed, and from thence to be transported at the common charge of the countie where he was set on lād into parties from whence he came. 14. Cl. 5.

Irish rogues
carried backe
again.

15 ¶ If any person shal finde himselfe greued with any taxati- on set vpon him by vertue of this act, it shalbe lawfull for him at the next general Sessions of peace holden within the same shire where the taxation shalbe, to make complaint therof to the Iustices of the Bench, & to be eased of his excessive charge, by the discretion of the whole bench, or the most of them. 14. Cl. 5.

Whom he shalbe
relieued which
is greiued with
any taxation.

14 ¶ No diseased or impotent poore person liuing on almes, shal repaire from their dwelling places to the Citie of Bathe, or to the towne of Buckston &c. to the Bathes there for ease of his grief, vn- les he be not onely licenced so to doe, by two Iustices of peace of the Countie where he shal dwell and remaine, but also prouided for by the inhabitants of such hundreos, parishes, or places, from whence hee shalbe so licenced to trauel, of such reliefe, for and towarde his mayntenance, as shalbe necessarie for him, for the tyme of his abode at the sayde Citie, or Towne, to returne home againe, as shal be limited by the same licence, vpon paine to be punished and bled as a vagabond. And the inhabitants of the same Citie and towne, shal not bee charged by this act, with the findyng or reliefe of anye such poore people. 14. Cl. 5.

They shalbe li-
cenced which re-
sort to Bathe,
Buckston.

17 ¶ Whereas any person by his lawfull erection, hath appoin- ted any summe of money, rents, reliefs, or commodities, to the ble of the poore, or for the repairing of high waies, or bridges, not being taken away by act of Parliamēt, whether the same be in any Ca- thedral church, Colledge, or els where, the Bishop of the Dioces or his Chaunceloz, within which the said Cathedral church, Colledge or place is, & the Iustices of peace of the Countie within the which the said Cathedral church, colledge, or place is, or thre of the, (where of one to be of the quorum) haue auctoritie from time to time, to examine after what maner the said money, rent, reliefe, or commo- dities is bestowed, & to call to accompt, the parties which do retayne the same, & thereupon to take such order, for the distribution therof, as to their discretions shal seeme most agreeable, to the good intent of the founders, geuers, or graunters, & therof to make certificat in the Chauncery once every peare. 14. Cl. 5.

Disposition of
money geue to
charitable uses.

18 ¶ It shalbe lawfull for the Iustices of peace of euery shire within this Realme, at their quarter Sessions, or the most part of them

Reliefe of pri-
soners within
the gaole.

Poore people.

them being then present, to take every parish within the said shires, at such reasonable summes of money, towards y^e reliefe of y^e prisoners being wⁱⁿ the cōmon gaoles of y^e said shire, as they shal think convenient, so y^e the said taxation do not excede aboue vij. s. or viij. s. by the weeke out of every parish. And the churchwardens of every parish shal every Sunday leuy the same, & once every quarter in y^e pere pay to y^e high constables, or head officers of every towne, parish, hundred, ryding, or wapentake, al such summes of money, as their parish shalbe rated, towards the reliefe of y^e said prisoners wⁱⁿ their parishes. And the said high cōstables & head officers, shal pay all such summes of money so to them paid at every quarter sessions, to such sufficient persons dwelling nigh the said gaoles, as shalbe appointed by y^e said Justices to be there ready to receive the same. And the collectors shal wekely distribute al such summes of money, as every of them shal receive for the reliefe of the said prisoners, vpon paine aswel the said Churchwardens of euery parish, Constables & head officers of every hundred or wapentake, as also the said collectors appointed for the collection and contribution of the sayd prisoners so making default, to forfait v. l. to the Q. &c. & to the reliefe of the prisoners. 14. Cl. 5.

The kings
Hospital in
Southwarke.

19 ¶ This act shall not extend to the poore people in the kings Hospital in Southwarke, nere adioining to the Cistle of London, but the Mayor, Commynaltie, and Citizens of the said city, shal onely haue the gouernment of the sayd Hospital, and of the poore people therein. Neither shal this act extende to disinherite or hinder John Dutton of Dutton in y^e countie of Chester Esquire, his heires or assigns, concerning anye libertie, iurisdiction, inheritance &c. which hee vbleth or ought to vse within the Countie of Chester, Citie of Chester &c. by any auncient Charter, p^{re}scription, or title. 14. Cl. 5 18. Cl. 3.

Dutton.

A stock to set
poore people
on worke.

20 ¶ In every City & towne corpozate within this Realme, a competent stock and flocke of wol, henn, flaxe, iron, or other stufte by the appointment & order of the Mayor, Bailiffs, Justices, or other head Officers, hauing rule in the said cities or townes corpozate (of them selues & al other inhabitāts, within their seuerall aucthorities, to be taxed, leuied, & gathered) shalbe provided. And likewise in euery other market towne, or other place within every county of thys Realme, (where to the Justices of peace, or greater part of them in their general Sessions verely next after Easter, within every limit shalbe thought most meete) a like competent stock and flocke of wall, henn, flaxe, yron, or other stufte, as the countrey is moste meete for, by order of the sayde Justices, (of all the inhabitantes, within their seuerall aucthorities, to be taxed, leuied, and gathered.) shalbe

shalbe provided, the said stocks and stozes in such Cities & towne
corporate to be committed to the custody of such persons as shal by
the head officers (having auctoritie there) be appoynted, & in other
townes and places to such persons as the sayd Justices of the peace
or the greater part of them, in their generall sessions, in their seve-
ral counties shalbe appointed, and every person refusing to pay, or
not paying any summe of money vpon him taxed towards the said
stocks at such time as he shalbe appointed, shal for double so much
An. 18. Cl. 3..

21 ¶ The said persons so appointed, shal have auctoritie by the ad-
vice of them who do appoint the, to dispose, order, & geue rules for the
division & maner of working of the said stocks & stozes, who shalbe
called the collectors & gouernors of the poore, to the intent euery such
poore & needie person, old or yong, able to do any worke standinge in
necessity of reliefe, shal not for want of worke go abroad either beg-
ging, or committing pilfering, or other misdemenor, liuing in idleness,
which collectors & gouernors of the poore, from time to time (as cause
requireth, shal & may of the same stocke & stozes, deliuer to such needie
person, a competent portion to be wrought into yarne, or other mat-
ter, within such time, & in such sort as in their discretions shalbe ly-
mitted, & the same afterwards being wrought, to be from time to time
deliuered to the said collectors & gouernors of the poore, for which they
shal make paymēt to the which worke the same, according to the de-
sert of the work, & of new deliuer more to be wrought, & so from time
to time deliuer stuffe unwrought, & receiue the same againe wrought
as oft as cause shal require, which henn, wool, flaxe, or other stuffe
wrought, shalbe sold by the said collectors & gouernors, at such time,
as they shal thinke meete, & wth the money coming of the sale, to buy
more stuffe, in such wise as the stocks or stozes shal not be decayed in
value. 18. Cl. 3..

Collectors and
gouernors of
the poore.

The order, use,
& employing of
the stocke.

22 ¶ If any such person able to do any such worke, shall refuse to
work, or shal go abroad begging, or liue idely, or taking such worke
shal spoile, or imbesel the same, in such wise that after monition geue
the Minister & Churchwardens of the parish, and collectors & go-
uernors of the poore, or the more part of them, shal thinke the same
persō not meete to haue any worke deliuered out of the same stozes &
stocke, then vpon certificat therof made vnder their hands, & brought
by one of the said collectors & gouernors, to such person or persons, as
shal in the county haue the gouernmēt of one of the houses of correctiō,
in conuenient apparel, meete for such a body to weare, he or she shal
be receiued into such house of correction, there to be straitly kept,
as well in diet as in worke, & also shalbe punished, as to the said per-
sōs having the gouernment of the said house of correctiō shalbe appoin-
ted. 18. Cl. 3..

Refusing to
worke, or spoyle
the worke.

Poore people.

Houses of
correction.

23 ¶ Within every county of this Realme, one, two, or more abiding houses or places convenient, in some market towne, corporate towne, or other place or places, by purchase, lease, buildinge or otherwise, by the order of the Justices of peace, or the more part of them in their sessions, (of the inhabitants within their severall authorities to be taxed, leuied, & gathered) shalbee provided, and called the house or houses of correction, & also stocke & store, and implements shalbe also provided, for setting on worke and punishing not only of those which by the collectors and gouernors of the poore for causes aforesaid to the said houses of correction shalbe brought, but also of such as shalbe inhabiting in no parish, or shalbe takē as rogues or once punished as rogues, and by reason of the vncertaintie of their birth, or of their dwelling by the space of thre yeres, or for any other cause ought to be abiding & kept within the same countie: which said house or houses of correction, with stockes, store & implements appointed for such houses, shalbe provided in every countie within one yere next after this present session of Parliament (if the same conveniently may bee) and if in the sayd time the same cannot conveniently bee, then within such time as to the Justices of peace or the more part of them, in their general sessions, in every county within their severall iurisdiction shalbe thought meete, so as it excede not two yeres after taxation in such countie for that purpose made, or else the money leuied to be repayed. 18. Cl. 3.

Refusing to
pay towards
house of correc-
tion.

24 ¶ Every person refusing to pay, (or not paying such summe of money towards the making, obtaining, and furnishing of the sayd houses of correction, & buying of stockes, and for the reliefe of suche persons as shalbe appointed to the same, which vpon him shalbe by order aforesaid taxed, and at such time as by the same order shalbee appointed) shal for every default forsaith double so much, as he shalbe so taxed vnto. 18. Cl. 3.

Censours & war-
dens of houses
of correction.

25 ¶ The Justices of peace in their general sessions, shal & may appoint from time to time persons which shalbe ouerseers of every such house of correction, which shalbe called Censours, and wardens of the houses of correction, and shall haue the gouernment and order of the same, according to such orders as by the said Justices of peace, or the more part of them, in their general sessions shalbee prescribed, and shall also appoint others for the gatheringe of suche money, as shalbe taxed vpon any person within their iurdictions, towarde the maintenāce of the said houses, which shalbe called the collectors for the houses of correction, and if any person refuse to be collector & gouernor of the poore, or censour and warden, or collector, of, or for any the houses of correction, he shal forfeit. v. li. 18. Cl. 3.

Collectors

26 ¶ Every person appointed to be any collector and gouernor of

of the poore, or censoꝝ and warden, or collectoꝝ foꝝ any the houses of correction, shall as often as any of them shall be called thereunto by the persons hauinge the appointment of them, make a iust accompt of al such summes of money or other thinges as any of them haue gathered, or raysed in commodity within their seuerall collections, or charge, & if any of the refuse to make such accompt, or neglect the same by y^e space of xiii. daies next after request therfoꝝe to him made or shall not within one weeke after such accoꝝpt, pay the whole arrerages which he vpon such accompt shall be found in, to such person as he shall be appoynted vnto by them befoꝝe whom the sayd accompt shall be taken, then he shall be committed to any vsuall Gaile within the said countie, there to remaine without baile or mainprise, til hee hath made his accompt and payment of such arrerages, as hee hath receiued, vpon the makinge of which accompt it shall be lawfull to such persons as haue the appointment of y^e said Censoꝝ, Wardens, and Collectoꝝ &c. to allow vnto euery of the said collectoꝝ, censoꝝ wardens &c. as wel such reasonable allowaunce, foꝝ such money as any of them haue disbursed in the executioꝝ of the said seueral offices, as also such reasonable fees, and wages foꝝ their paynes taken in y^e behalfe, as to the shall be thought conuenient. 18. Cl. 3.

The accompt
of Collectoꝝ,
Censoꝝ &c.

27 ¶ All foꝝfaitures by foꝝce of this act beinge foꝝfasted, by any person charged with any payment towarde the stocke & stozes appointed foꝝ the reliefe of the poore, shall be imploied in the pꝛouision of the stockes & stozes, in such places where the money (by the none payment whereof the foꝝfaitures did growe) was payable. And the foꝝfaitures of al persons beinge chesen to be collectoꝝ & gouernoꝝs of the poore, shall be imploied in the pꝛouision of the stockes & stozes wherof they were chose to be collectoꝝ and gouernoꝝs. And all foꝝfaitures made by any person charged towarde the sustentation of any house of correction, and the foꝝfaitures of al persons beinge, or being chesen to be censoꝝ and wardens, and collectoꝝ of any house of correction, shall be imploied in the maintenance and furtherance of the said houses of correction, all which said foꝝf. shall be lenied by distress and sale of the goods of the offendour, as neare as they can to the value foꝝf. by warrant from such persons as haue by reason of their seueral iurisdictiones the nomination of the sayd collectoꝝ, gouernoꝝs, censoꝝs, & wardens, and the taxation of the sayd personnes which shall commit the sayd foꝝf. to any person or persons by them appointed, to be directed vpon certifficat thereof made, and the party called therunto. 18. Cl. 3.

How the foꝝ-
faitures shall be
imploied.

28 ¶ It shall be lawfull to the Lord Steward of the Quenes household, or to the Commissioners within the verge, to haue and vse al such authority within the sayd verge, in execution of the acts pꝛouided

Execution of
these Statutes
within the verge

Prærogatiue.

provided. 14. Cl. 5. & 18. Cl. 3. for the punishment of vagabondes, & the release and setting on worke the poore, as any Justice of peace hath or may haue, or be els where, within their seuerall shires, according to the limitation of the said statuts. 18. Cl. 3.

The for. upon
certaine penal
stat. imployed
to the vse of the
poore.

29 ¶ All and singuler forfeitures in any wise limytted to come to the D. for any offence to be committed against any of those penal statutes which her maiestie by her Proclamatiō from time to time for that purpose shal appoint, shalbe recovered, and employed. The one moitie to the vse of such person as shal prosecute the same, by A. suit, or J. or by giuing of euidence upon indictment and traueser of indictment: And the other moitie to and for the prouision and furnishing of the stocks for the poore, and of the houses of correction, in such maner as by the Justices, at the Sessions after Easter next ensuing after such recovery shalbe limited, any former penal statut prouision &c. notwithstanding. 18. Cl. 3. to continue from 15. die Marcij, An. Do. 1575. for vij. yeres, and from thence vnto the ende of the next Parliament then next following. S. Iustices of peace. 72. 73. 74. 75. 76.

1 That any man may geue land holden in Socage, for the maintenance of houses of correction, or for any stocks of poore people S. Mortmaine 10.

2 That a beggars child may be taken apprentice. S. Laborers 31.

¶ Prærogatiue.

Wardship.

The Quēnes Maiestie by her Prærogatiue Royall, shal haue the wardshippe of all their Landes which holde of her in chiefe by Knights service, wherof the tenants were seised in their demesne, as of fee, the day of their death, of whom soeuer they holde by lyke service, so that they helde of auuncient time any lande of the D. as of her Crowne, vntill the heirs come vnto his lawfull age, except the fees of the Archbishop of Canterbury, the Bishop of Durham, betwēne Tyne & Tees, fees of Carles and Barons of y^e Marches, of landes in the Marches, where the Quēnes writtes do not lye, and wherof the said Archbishop, Bishop, Carles, and Barons, haue had the wardship, though other wise they helde of the Quēne, Prærog. Regis. 17. Ed. 2. 1.

Marriage.

2 ¶ Also she shal haue y^e marriage of an heire beinge within age, and in her Custody, whether the lande of such heire haue of auuncient time ben holden of the Crowne, or that it came by reasoⁿ of Elcheat beinge in the D. handes, or that she hath the marriage by reason of the warde of the Lord of such heire, without respect of the Prioritie of scottish men, although the heire helde of others. 17. Ed. 2. 2.

3 ¶ Also

3 ¶ Also shee shall haue primer seysin, after the death of those which hold of her in chiefe, of all the lands and tenements whereof they were seised in their demesne as of fee, of what age soeuer their heires be, by taking the issues of the same lands, vntil inquisition be made as the custome is, and that shee hath receiued the homage of such heires. 17. Ed. 2. 3. Marleb. 52. H. 3. 16. Primer seisin.

4 ¶ Also shee shall assigne to widowes after the death of their husbands that held of her in chiefe, the dower that to them belongeth, though the heire be of full age, if the widowes will. And such widowes before assignement of dower shall sweare that they shall not marry without the Kings licence, whether their heire be of full age or not, and if they do marry them selues without the Quēnes licence, then the King shall take into her hands by way of distress, all such lands as they hold of her in dower, vntill she be satisfied at her pleasure, so that the woman shall take nothing of the issues, for after such distresse they or their husbandes must make fine to the King at her pleasure, which fine in ancient time, was one yeres value of her dower, vnlesse she found the greater fauour. And also women that hold of the Quēne in chiefe, of what age soeuer they be, shall sweare that they shall not marry them selues without the Quēnes licence, and if they do, their lands shall be taken in like maner into the Quēnes hands, vntill she be satisfied at her pleasure. Mag. chart. 9. H. 3. 7. 17. Ed. 2. 4. And the Master of the Quēnes Wardes and lpueries by the aduice of the Atturney, Receiuer generall, and Auditors of the same Court, or three of them, haue authoritie to suruey all the Kings widowes, and to common and conclude with euery of them, which shall marry them selues without the Quēnes licence, for their reasonable fines to be made to the Quēnes vse, and to tax and asseesse the same by their discretion, according to the foresaid statute of Prærog. Reg. 32. H. 8. 46. The Quēnes widowes.

5 ¶ If a woman before the death of her auncester that helde of the King in chiefe be married before she be marriageable, then the King shall haue the wardship of the body of the same woman, vntill she be of age able to consent, and then shee may chouse, whether shee will haue him to whom shee was first married, or him that the Quēne will offer her. 17. Ed. 2. 6. Women tenants.

6 ¶ If an inheritance which is holden of the Quēne in chiefe do descend to several coparceners, then all the heires shall do homage to the Quēne, and the same inheritance so holden of the Quēne shall be deuided amongst those heires in such sort, that euery of them after that shall holde their part of the Quēne. 17. Ed. 2. 5. Statut Hibernie. Coparceners.

7 ¶ None which holdeth of the Quēne in Capite by knights service, Alternation without iustice.

Prærogative.

service, may without the Quænes licence, alien the greater part of his lands in such sort, but that the residue may be sufficient, to do his service, but this had not wont to be intended of small members and parcels of the same lands. Magna charta. 9. H. 3. 32. 17. Ed. 2. 7.

Tenure by
serjeanty.

8 ¶ If any which holdeth his lands of the Q. by Serjeantie, doth alien the same without the Q. licence, hee shall paye therfoze a reasonable fine. 17. Ed. 2. 7. But by the statute. 1. Ed. 3. 12. y same lands shal not bee sold, to the Q. by such alienation. And by the stat 9. H. 3. 31. & 1. Ed. 3. 12. & 1. Ed. 6. 4. He that holdeth of the Quæne, as of any honours, castels, manors, lands &c. being in her handes, by reason of any new escheat to the Crowne, or by attainder, conviction, outlawry, or by dissolutiõ of any religious house, or by purchase, doth not holde of her grace in Capite, neither shall he do other services, then if the same manors &c. were in other mens handes.

Lapse.

9 ¶ If other men do present to Churches being void, the advowsons wherof belong to the Q. whereupon debate riseth betweene, y Quæne and the others, If the Q. by award of the Court, do recover her presentation, though it be after the lapse of five moneths frõ the time of the avoidance, no time shal prejudice her, so that she present within the space of five monethes. 17. Ed. 2. 8.

Feodes.

10 ¶ The Q. shall have the custodie of the landes of naturall soles, & take the profit therof, without any wast or destructiõ. And shall finde to them things necessarie, of whose fees soever the same lands bee, and after the death of the same soles, she shall render the same lands to the right heires, so that such Feode shal not alien, nor their heires be disinherited. 17. Ed. 2. 9. The Master of y Quænes Wardes and liveries, by the advice of the Attorney, Receiver general, & auditors of the same court, or thre of them, hath aucthoritye to suruey, gouverne, and order al Feodes and naturall soles, and their manors, landes, tenements, and other hereditaments being in the Quænes handes, or in the handes of other persons to the vse of any of them, and to let and set the manors, lands &c. to the Quænes vse for the time of her interest, for such rent, and fine, as by their discretion shalbe thought good, the finding and keeping of the said persons, their wives and children, and the reparations of their houses & lãds alwaies to be considered. 32. H. 8. 46.

Lunaticke.

11 ¶ Also the Q. shal prouide that whẽ any that befoze time hath had his memozy and vnderstandinge, shal become bestraght, and to faile of his wit, (as certaine doc, Per lucida intervalla) that their landes and tenements shalbe safely kept, without wast or destructiõ, and that they and their familie shal live and bee conveniently maintained with the profits therof, and that y residue besides their maintenance, shalbee kept to their vse, and bee deliuered vnto them
wh. n

when they come to their perfect memory, so that such landes shall not be aliened, neither shall the Q. take any thinge to her owne vse, and if the party die in such estate, then the residue shall be distributed for his soule by the aduise of the Ordinarie. 17. Ed. 2. 10.

12 ¶ The Q. shall haue the wrecke of Sea, through þ realme, whales, and Sturgions taken in the sea, or els where within the Realme, except in certaine priuiledged places. 17. Ed. 2. 11. wreche of the sea.

13 ¶ When any person which holdeth of the Quene in Capite dyeth, and his heire doth enter into the land that his auncester helde of the Quene the day of his death, before hee hath done homage to her grace, & receiued of her lesin, he shall thereby gaine no freeholde, and if he die seised duringe that time, his wife shall not be endowd of the same land, But this is not ment of Socage & small tenures. 17. Ed. 2. 13. Intrenson.

14 ¶ The Quene shall haue Escheates of the landes of Archbishops and Bishops freeholders, when such tenants be attainted of felony committed in time of vacation whiles their temporalties were in the Quenes handes, to bestowe in what sort it shall please her, Sauing to such Prelates, the service that to them is due and accustomed. 17. Ed. 2. 14. Escheates in time of vacation.

15 ¶ When the Q. giveth or graunteth to any person a manor or land with the appurtenances, without she make expresse mentiõ in her deed, or writing of knights fee, aduowsons of Churches, & dowers, when they fall, belonging to such manors or landes, then þ Q. reserueth to her selfe such fees, aduowsons, and dowers, though amongst other persons, there be no such reservation. 17. Ed. 2. 15. Knights fees
aduowsons.
dowers.

16 ¶ The Quene shall haue the goods of all felons which bee condemned, and which be fugitiue, whersoever they be found, and if they haue any freehold, it shall forthwith be seysed into þ Quenes handes, and the Q. shall haue the profit thereof by the space of a yere, and a day, and the land shall be wasted and destroyed in the houses, woods, and gardeins, & in al thing belonging to the same (except men of certaine places priuiledged.) And after the Q. hath had the yere, day, and wast, the land shall be restored to the chiefe Lord of the same fee, vnlasse that before he redeme the same yere, day, & wast of the Quene, by payment of a fine. But there is a custome in þ countie of Gloucester, that after a yere and a day, the landes and tenements of felons in that shire, shall reuert and be restored to the next heire, to whom they ought to haue descended, if the felonye had not ben committed. And in Kent, in Gauekinde, the father to the Bough, the sonne to the Bloughe, there all the heires males shall deuyde their inheritance, and likewise women, But women shall not make particion with men. And a woman after the death of her husbande shall be Felon goods

Annum diem
& vatum

Gloucester;

Gauekinde.

Prærogative.

shalbe endowd of the moitie. And if she commit fornication in her widowhood, or take any husband, shee shal lose her dower. Prærogativa Regis. anno 17. Ed. 2.

None may pardon felons, or make Justices, but the Queene.

17 ¶ No person hath auctorizty to pardon any treasons, murders, manslughters, or felonies, or any accessories, to the same, or any outlawries for any such offences committed &c. or to make any Justices of Oyre, Justices of assise, Justices of peace, or Justices of gaole delivery, but onely the Quæenes maicstie, her heires and successors, kinges and Quæenes of this Realme, which have the same whole & sole power vntied to the imperial Crowne of this realme, And all such Justices, Officers &c. shalbe made by letters patentes vnder the Quæenes great seale in her name, and by the auctoriztye of her, and her heires &c. in al Countie within any of her dominions. 27. H. 8. 25.

All writs made in the Queens name.

18 ¶ All originall and iudiciall writtes, and al indictmentes of treason, felony, and trespassse, and all manner of proces to be made vpon the same in euery Countie palantine, and other liberties wyth in Englande, Wales, or the Marches thereof, shalbe made onely in the name of the Quæene, and her heires, Kinges or Quæenes of Englande. And euery person hauinge such Countie palantine or other libertie to make such originallles, iudicialles, or other proces of Justice, shal make the Teste in the said writtes, in the name of the same person or persons that haue such Countie palantine or liberties. 27. H. 8. 25.

Writs of indictment, contra pacem.

19 ¶ Euery writte and indictment that shalbee made within any Countie palantine or libertie, whereby it shalbe supposed any thinge to bee done against the Quæenes peace, shalbee made and supposed to be done against the Quæenes peace, her heires and successors, and not against the peace of any other personne &c. 27. H. 8. 25.

Fines & forfeitures of bailiffs & Rewards.

20 ¶ The Quæene her heires and successors, kinges or Quæenes of this Realme, shall haue all fines, issues, amerciamentes and forfeitures, that shalbe lost, forfeited, or assessed, by or vpon any Sherwardes, Bailiffes, or other Officers, of any franchises or liberties, for non execution, or misexecution, or insufficient returnes of such writs, warrantes, preceptes, or other proces, which to any of them or to any their deputies shalbe directed, or for any contempt, or other misbehaviour concerning their offices, in and for the due execution or administration of Justice, any graunt, allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

Disturbance of a Preacher in the time of his Sermon.

¶ Preacher and preachinges. ¶ If any person of his owne auctoriztye, shall willingly, and of purpose by open wordes, or dedde, maliciously, or contemptuously disturb,

disturbe, or by any other unlawfull waies disquiet or misuse any preacher allowed to preache by the Doene, or by any Archbishop or Bishop of this Realme, or by any other lawful Ordinary, or by any of the Universities of Oxforde and Cambridge, or otherwise lawfully aucthorised, or charged by reason of his cure, benefice, or other spiritual promotion or charge, in his open Sermon, Preaching, or Collation, that he shal preache or pronouce in any Church, Chappell, or Churchyard, or in any other place, bled or appointed: Then every such offender, his aydoers, procurers, or abettors, immediately after any of the said misdemeanors committed, or at any time after, shalbe arrested by any Constable or Churchwarden of the said parish, to wne or place, where the said offence shalbe so committed, or by any other officer, or by any other person then being present at the tyme of the said offence, and caried to any Justice of peace within the said shire, or within any Citty, Borough, libertie, or towne corporate, wherein Justices of peace be, where the said offence shall be so committed, and the said Justices vpon due accusations thereupon made by the apprehender, or other person of the offender, forthwith shal commit him to safe keeping, and within vij. daies immediately after the said accusation so made, the said Justice with one or other Justice of peace within y^e shire, citty, borough, libertie, or towne corporate, shal diligently examine the offence aforesaid, and if y^e said two Justices shal vpon their examination find the person so accused guilty of any of the said offences wherof he shalbe accused, & that by two sufficient witnesses, or by his confession, then they shal commit him to the gaole of the said shire, citty, borough &c. where the offence was committed, there to remayne without baile or mainprise by the space of iij. moneths then next ensuynge, and further to y^e next quarter Sessions &c. at which sessions the said person vpon hys reconciliation & repentance before the said Justices at the said Sessions, shalbe deliuered out of prison vpon sufficient surety of his good abearing, and behauour, to be the & there taken by y^e said Justices for one whole pere then next ensuyng, as by the discretion of the said Justices then & there being, or of the more part of the shalbe thought convenient. And if the said person wil not be reconciled & repent at y^e said quarter Sessions, the he shalbe further committed to the said gaole by the said Justices, there to remaine without bayle or mainprise, until he shalbe reconciled and be penitent &c. 1. M. 3.

2. ¶ If any person or persons of their owne aucthority, willingly & unlawfully do rescue any offender so apprehended, or will disturbe the said offender to be apprehended, then every one of the said rescuers or disturbers shal suffer like imprisonment as is aforesaid, & further shal pay for every of his offences v. li. to the D. I. M. 3.

Rescuing the offender, or disturbing the arrest.

Premunire, Prouision.

The punishment
of the towne
where the offe-
dor doth escape

3 ¶ If any of the offenders aforesaid be not apprehended in time convenient, but do escape, then the said escape shalbe lawfully prese-
ted before the Justices of peace at the next quarter Sessions &c. & the
inhabitants of the parish where y^e said escape was suffered, shal for-
to the D. &c. for every such offence b. li. to be levied & taken as other
like amerclaments and fines bene leued vppon any village, hūdrēd,
or to wne for the escape of any murderer, or other felon, for not ma-
king pursuit vpon buy & crie accordyng to the statut of Winchester, &
the statut of 3. H. 7. 1. 1. M. 3.

Punishment by
the ecclesiastical
lawes.

4 ¶ This act shal not extende to take away the auctoritie and
punishment of the Ecclesiastical lawes standing in force for the pu-
nishment of any the offences aforesaid. But they shalbe vled in eue-
ry thing as though this act had neuer bene made. 1. M. 3.

That once pun-
ished for one of-
fence.

5 ¶ Whatsoever person offending in the premises shal for any
the offences afoze recited, receiue punishment of the Ordinarie ha-
ving testimonial thereof vnder the said ordinarie seale, shal not for
the same offence estones be conuicted before the Justice. Et econ-
uerso. 1. M. 1. Parl. 3. S. Arrests 1.

¶ Premunire, Prouision.

Premunire by
reason of suit
in a foraine re-
alme, or in im-
peching Judge-
ments given in
the Quenes
court.

¶ If any of the Quenes people do d̄awe any man out of the Re-
alme in suit for any cause, the cognisance whereof pertaineth to y^e
Quenes Court, or for any things whereof there is iudgement, ge-
uen in the Quenes court, or do sue in any other court to defeate or
impeach the Judgements given in y^e Quenes court, they shal hane
day containing the space of two monethes by warning to be ge-
nen to them, in the place where the possessions be which be in de-
bate, or some where els, where they haue landes or other posses-
sions, by the Sherife or other of the Quenes Officers, to appare
before the Quene, and her Counsel, or in her Chancery, or before
her Justices of the one Bench, or the other, or before the other of the
Quenes Justices which shalbe thereunto appoynted, to answer
in their proper persons to the Quene of their cōtempt in this case
committed, and if they come not at the sayd day in their owne pro-
per persons to answer and stand to the lawe, they, their procura-
tors, attorneys, executors, Potaries, & maintainors, shal from the
same day be put out of the Quenes protection, & their lands, goods,
& cattels shalbe forseypted to the D. & their bodies wherescener they
be found, shalbe punished at the Quenes pleasure, & a writ shalbe a-
warded to apprehend their bodies, & to seise their lands, goods & pos-
sessions into the Quenes hands. And if it be returned that they can
not be found, they shalbe put in Exigent & outlawed. But at what-
soeuer time they wil come before they be outlawed, & wil r̄eder the
selues

selues to the Quenes prison, to be iustified by the law, & to receiue that which the Quenes court in this behalfe shal award, they shal be thereunto receiued, yet shall the forsaiture of the landes, goddes & cattels remaine in his force, if they do not yelde them selues within the two moneths as is aforesaid. 27. Ed. 3. 1.

2 ¶ If any person shal take within England, procuracy, letter of Atturney, serme or other administration, by indenture, or in other maner, of any person of the world, of any benefice within the said realme, but only of the Quenes liege people of the same realme, without the special grace & expresse licence of the Q. by the advice of her counsel, or if any of the said liege people, or other that may be found in the said realme, shal conuey by vertue of such procuracy, serme or administration, Gold, Silver, or other treasure, or commodities out of the said realme by letter of exchange by merchandise, or in any other maner whatsoever, to the profite of the said aliens, without the like licence, They shal incurre the punishment contained in the foresaid statute of 27. Ed. 3. And by the same proces comprised in the sayde stat shalbe warned in their benefices, or their other possessions within the realme, & if they be out of the realme, & haue no benefices nor possessions within the realme where they may be warned, a writt shalbe directed out of the Chaucery to the Sherifes of London, or to the Sherif of the county where they were borne, at the Quenes suit, returnable into the one Bench or the other, by the which writt commandement shalbe geuen, that proclamation shalbe openly made, that they shalbe before the Justices in the Bench where the writt is returnable at a certaine day comprised in the said writt, containing the space of halfe a yere, to make answers to the matters comprised in the said writt, & this writt being returned, the Justices shall proceede against them in forme aforesaid. 3. R. 2. 3. 7. R. 2. 12.

Taking benefices of Aliens.

Conveying of commodities to Aliens.

3 ¶ No Bishop, or other ecclesiastical person through the realme, shal medle by the way of sequestratiō, or in any other maner with the frutes of such benefices, geuen to such aliens, or to the profite of Aliens. 3. R. 2. 3. 7. R. 2. 12.

No sequestratiō of Aliens benefices.

4 ¶ If any alien doth purchase any benefice of the Church dignitie, or other thing, and in his owne proper persō doth take possession thereof, or doth occupie it within the realme, whether it bee to his owne vse, or to the vse of any other, without the Quenes speciall licence, he shalbe comprised within the same statute of 3. R. 2. and moreover he shall in all pointes incurre the paines and forsaitures comprised in the said statute. 25. Ed. 3. 22. (prouyded against those which purchase in the Court of Rome prouisiōs, to haue abbeyes & priories in England) by he shalbe out of the Quenes protection, and euery man may vse him as an enemy of the Quene & the realme. And

No alien shal take a benefice without the Quenes licence.

Præmunire, Prouision.

Whosoever offendeth against him in body, goods, or possessions, shall be excused against all people, & shall never be impeached or grieved for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. et Quære.

Quære.

Bulles or Instruments from Rome.

5 ¶ If any personnes do purchase, or pursue, or cause to be purchased, or pursued in the Court of Rome, or else where, any translations of Bishops, proces, sentence of excommunication, Bulles, Instruments, or other things whatsoever, which do touche the Q. or which be against her, her Crowne, and Regaltie, or her realme, they which bring the same within the realme, or do receive the, or make thereof notification, or other executio whatsoever, within the realme or without, their notaries, procurators, mayntayners, abbettores, fauourers, and counsellors shall be put out of the Quænes protection, & their lands & tenements, goods & cattels shall be forfeited to the Q. And they shall be attached by their bodies, (if they may be found) & brought befoze the Q. & her counsel, to answer in the foresaid causes, or else proces shall be directed against them by Præmunire facias. 16. R. 2. 5. But to obtayne from the Bishop or Sea of Rome any manner of Bull, writing, or Instrument written or printed, containing any thing, matter, or cause whatsoever, or to publish, or by any meanes to put in use any such Bull, writing or Instrument, it shall be adjudged to the offenders, their procurators, abbettores & counsellors to the fact, & committing of such offence, high Treason. 13. El. 2. Rome. 2.

Treason.

¶ By which statute of 13. El. and of certaine statutes made. 23. H. 8. 24. H. 8. 25. H. 8. 1. El. 5. El. the force of diuers other old statutes provided for the punishmēt of offences by prouision & Præmunire seeme to be taken away, sauing such vvhich be in other tytles of this booke expressed, for that the offences vvhich in the said olde statutes were ordeyned to be punished in seuerall manners by prouision and Præmunire, be nowe made high Treason, or other punishmēt appointed for them by the said new statute, or else the vse of them is vvholye extinguished by the dissolutio of Monasteries, Abbeyes, Colledges, free Chappels &c. vvhich were suppressed by the statut of 27. H. 8. 31. H. 8. 13. 1. Ed. 6. 14. Attamen Quære.

Quære.

No man shall sue him which is attainted in Præmunire.

6 ¶ It shall not be lawfull to any person to sue any person in any manner attainted in or vpon any Præmunire by pretence, reason, or authoritie of any Judgement geuen vpon the same, or of any wordes or thinges contained in any statute or lawe of Prouision & Præmunire, sauing alwaies the due execution of euery person attainted for any offence whereupon Judgement of death ought to be, and sauing euery such paine of death or other hurt or punishmēt as heretofore might without daunger of lawe be done vpon any person

person that shal send or bring into any of the Queenes dominions, or within the same shal execute any Summons, Sentence, excommunication, or other proces against any person fro the Bishop or Sea of Roome, or by auctorithy of the same. See 5. El. 1.

1 Premunire for refusing to take the othe for the Queenes supreme gouernment ouer al estates. S. Queene. 6.

2 Premunire by declaring by booke, vvorke, or scroule vvho ought to be heire or successor to the Queene, being once couicted of the said offence before. S. Queene. 21.

3 Premunire by ayding or comforting an offendor vvwhich shal affirme that the Q. is an heretike, scilmatike, infidel, or vsurper &c. S. Queene. 24.

4 For geuing reliefe to him which shall commit the offence of Premunire. S. Q. 25.

5 Premunire for maintaining or setting fourth the aucthoritie of the Bishop or Sea of Roome. S. Roome. 1.

6 Premunire by aiding comforting or maintaninge any offendor after the offence, to the intent to set forth or allow the povver of the Bishop or Sea of Roome. S. Roome. 3.

7 Premunire by bringing, deliuering, or receiuing, & vsing any Agnus dei, Crosses, Pictures, Beades, or such like from Roome S. Roome. 5.

8 Premunire for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop. 1.

9 Premunire in a Iustice of peace for not certifying the name of him vvwhich bringeth any Agnus dei, Crosses, or Pictures. S. Iustice of peace. 99.

10 Prouision in spiritual persons &c. within the Archdeaconry of Richmond in Yorkeshire, for takinge more for probate of testaments then is lavvful. S. Probate of Testaments 14.

11 Premunire for suing of Appeales, or for refusing to obey all things comprised in the statute provided for suinge of them. S. Appeales. 7.

12 That brokers & driuers of bargaines contrary to the statute of 37. H. 8. provided against vsurie, shalbe punished as Coucellors, Atturmes or Aduocates in case of Premunire. S. Vsury. 7.

13 Premunire for molestinge any person for any the landes or possessions of any Abbey, Priorie, Colledge, Chauntrie &c. S. Monasteries 31.

¶ Prison, Prisoners, Gaoles, Gaolers.

The Iustices of peace of euery of the Shires of Essex, Suffolke, Dorsset, Susssex, Surrey, Nottingham, Gloucester, Bedforde, Newe Gaoles
to be made in
certain shires.
III. iij. Bucking.

Prison, Prisoners, Gaole, Gaolers.

Buckingham, Hunting. Wilt. Kent, Warwicke, Stafford, Dron,
 Bark. Leicester, Rutland, Lincolne, Hereford, Portsmouth, Sal-
 lope, Dorset, Cornwall, Derby, and Cambridge, and of the countie
 of Denbroke, Glainorgan, Cardigan, Radnor, and Mountgomerie
 in Wales or the most part of them resident within every of the said
 countie, within the limittes of their commission, haue full power
 to appoint the townes and places, wherein they shall thinke most
 necessarie to haue a common Gaole newly edified. And to call bee-
 fore them at tymes and places by them to bee appointed, all the
 hygh Constables, Tythingmen, or Borough holders of every hun-
 dred, Lath, or wapentake within the shire whereof they bee Jus-
 tices, and in the presence, and by the assent of them, or the most
 part of them, shall agree vpon such convenient summes of money
 as shalbe thought good to suffice for the makinge and perfect syn-
 shinge of a newe Gaole in the same shire. And thereupon shall
 forthwith by their assentes and discretion, take every such person as
 then shalbe resident in the same shire, aswell within liberties as wi-
 out, hauing landes, tenements, rentes or annuities of estate of in-
 heritance, or for terme of lyfe, to the clere yerely value of xl.s. or a-
 boue, or being worth in mouable substance the clere value of xx.li. or
 above, to such reasonable summes of money as shalbe thought con-
 uenient by their discretions, for the full buyldinge and synishing of
 the sayd common gaole. And after such Taxation, to appoint such
 number of Collectours for the leuying thereof, as shal seeme best by
 their discretions. And the sayd Collectours, and euery of them haue
 auctoritie to distraine every such person as shalbe taxed by the said
 Justices, in their landes or goodes, aswel within liberties as with-
 out, and to sell the distresses by them taken, by the appoyment of
 iiii. honest persons for the payment of the said summes, if the per-
 son taxed refuse to pay the same within x. daies, next after such dys-
 tres taken: taking vpon every such sale but onely the money taxed,
 with reasonable costs for taking of the distress, and the ouerplus shal
 bee deliuered to the owner. And also the said Justices, or the most
 part of them, haue auctoritie to appoint two honest persons inha-
 bited in the said shire, which shal suruey and provide that the sayd
 Gaoles shalbe surely and substantially made and finished, to whose
 bandes the sayd Collectours shal pay the money by them collected
 by the appointment of the sayd Justices, or sixe of them at y least,
 And the sayd Justices haue auctoritie to limit to euery of the sayd
 Collectours and two persons, reasonable summes of money for their
 labours. And all murderers and felons shalbee imprisoned in the
 sayd common gaoles, and not els where. 23. H. 8. 2. 5. Eliz. 24.
 13. Eliz. 25.

Taxing of the
shires.

Collectours.

Summeys.

Imprisonment
of offenders.

2 ¶ Aswel euery of þe said Collectors, as euery of þe said two persons, their heires, exrecutors, and administratozs, shal declare a true accompt to the said Justices, oꝛ to vi. of them at the least, whē they shalbe required. And if anye of them refuse to make accompt, oꝛ to pay and imploy such money as shal come to their hāds in such wise as shalbe limited by the said Justices oꝛ vi. of them, then the same Justices oꝛ vi. of thē haue aucthority, (if þe said offēdozs be pꝛesēt,) to cōmit thē to ward, & if they be absent, to make attachements vnder their seales against euery of thē, into euery shire and part of this realme, aswel within liberties as without, to be returnable befoze the said Justices at such day and places, as by them shalbe appointed, & to be directed to the Sherife of the shire wherein the party oꝛ parties shalbe resiant, if it be within the bayliwike of the Sherife. And if it be without, then to be directed to the bailife of the libertie, and euery Sherife and bailife of libertie to whose hands such attachementes shal come, shal attache the said offēdozs, and personally bzing thē befoze the said Justices accordinge to the tenoꝛ of the attachement, oꝛ else declare by his returre some reasonable cause why hē cannot so do, vpon paine foꝛ euery default by any of thē committed, to foꝛ, fait to the D. C. S. And vpon the apparance of euery such person so attached, the said Justices, oꝛ vi. of them haue power to cōmit them to prison, there to remaine til they haue truely accompted, and paid al such summes of money as came to their hands by the assignemēt of the said Justices by aucthoritie of this act. And in case there happen to remaine any ouerplus of money after the gaoles su ly finished, then þe same shalbe bestowed in almes to the prisoners committed to the said gaole, by the discretions of the said Justices oꝛ the moze part of them. And seuerall cōmissions vnder the great scale in this act affixed, shalbe directed to þe Justices of the shires befoze named. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The remedy where Collectors oꝛ Sherifes ouer refuse to accompt.

3 ¶ But this act doth not charge any person inhabited within any Cities, totones, oꝛ Boroughs corporate which haue common Gaoles foꝛ felons taken in the same, and haue Justices of peace foꝛ deliuerance of such felons, foꝛ any tares oꝛ lottes to the making of the said common gaole of any of the shires aboue named, but euery such inhabitant of any of the countiees first befoze specified bee charged to beare any costs foꝛ the repairing oꝛ new making of any gaole, where any other persō, body politike oꝛ corporate ought to buyld oꝛ repaire the same. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The inhabitants in Cities oꝛ townes hauing Gaoles.

The inhabitants of the shire shall not be burdened where any person is specially charged.

4 ¶ Euery Sherife shalbe allowed vpon his accompt in the Eschequer, foꝛ all such money as hē shall expende about the necessarie reparations of the said gaoles, after they be once made, as nede shal requyre, & the Barōs of the Eschequer haue power to allow euery

Gaoles repaired at the D. costs.

Prison, Prisoners, Gaole, Gaolers.

sherife in euery such case by their discretions, without any warrant to be shewed from the Quene. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The sherife shal haue & charge of euery gaole.

5 ¶ The Sherifes of euery county shal haue the custodie, rule, keepinge and charge of the Quenes common Gaoles of the same countie, & of the prisoners therein, and also of the said new gaoles, and shal appoint such gaolers as they will answer for. 14. Ed. 3. 10. 19. H. 7. 10. 23. H. 8. 2.

Particular persons hauing interest in gaoles.

6 ¶ But this act shal not be prejudicial to any persons hauing any common gaoles by inheritance, for terme of life, or for yeares, but that they shal enjoy them and the fees, and commodities of the same, as they might lawfully haue had if this acte had neuer bene made. 24. H. 8. 2. 5. Cl. 24. to continue from the ende of the parliament holden. 5. Cl. for xx. yeres. 13. Cl. 25..

7 ¶ None shalbe imprisoned by any Justice of peace, but onely in the common gaole, saving to the Lordes and others which haue gaoles, their franchises in this case. 5. H. 4. 10.

Enlarging one imprisoned by the Quenes commaundment.

8 ¶ If any person shal imagin, conspire, inuent, or go about unlawfully, and maliciously to set at libertie any person committed to prison, gard, or custody by the Quenes special commaundment for any treason, or suspicion of treason concerning her owne person before any indictment of any such person so sought to be set at large, & the same conspiracies or inuentions shal by wordes, writing, or other matter set forth, or declare, Then the offender shal incurre the forfeiture of imprisonment of treason. And if the prisoner bee indicted of the foresaid treason, then the offender shalbe adjudged a felon. And if the prisoner be attainted or convicted of the treason aforesaid, then the offender shalbe adjudged a high traytor. 14. Cl. 2. to continue during the Quenes life.

A prisoner by Duress become meth an approver.

9 ¶ If any keeper of prison, or vnder keeper, shal by too great duress of imprisonment and paine, cause any prisoner which he hath in his custody, to become an approver agaynst his will, and is therof attainted, he shalbe indged a felon. 14. Ed. 3. 10..

A certificat of euery prisoners name at the gaole deliuerie.

10 ¶ Euerie Sherife, Bayliffe of franchise, and euerie other person hauing authoritie of keeping of gaoles, or of prisoners, for felony, shal certifie the names of euerie prisoner in their keeping and of euerie prisoner to them committed for anye such case at the next generall Gaole deliuerie in euerie countie or franchise where any such gaole is or shalbe, there to be kalendred before the Justices of the deliuerie of the same Gaole, whereby they may aswell for the Quene as for the partye, procede to make deliuerie of such prisoners accordinge to the lawes, vppon payne to forfeit to the Quene for euery default there recorded a hundred shillings. 3. Henrici. 7. 3.

I That

1 That no Habeas corpus shalbe graunted to remoue any prisoner out of any gaole, except it be signed vvith a Iustices had of the same court. S. Remouer 1.

2 That the Iustices of the kinges Bench may send dovvn prisoners, and their indictmentes to bee tried in the countrey. S. Remouer. 2.

3 That a prisoners goods shal not be seised by any officer, vntill he be attainted. S. Sherifes. 26.

4 That it is felony for any person to breake prison. S. Felony 15.

5 That Iustices of peace may taxe every parish for the reliefe of prisoners. S. Poore. 18.

6 Where the keeper of a prison shalbe charged for not receiuing, or letting go a prisoner offered or committed to his custodie. S. Escape. 1. Statutes &c. 1. Phisition .4.

¶ Probate of testaments, and administration.

Nothing shalbe demaunded, or taken by any Bishop, Ordinarie, Archdeacon, Chaunceloz, Commissarie, Official, noz any other person hauing authoritie to take probacion, insinuation or approbation of testaments, by him selfe, noz by his Registers, scribes, praylers, Summoners, apparatoz, or by any other of his ministers for the probacion &c. of any testament, or for witting, sealing, praying, registering, fines, making of Inuentories, & geuing of acquittances, or for any other cause concerning the same, where the goodes of the testator do not amount clerely aboue the value of C.s. Sterling, except onely to the Scribe, for witting of the probate of testament of him deceased &c. by .v. and for the commission of ministracion of goodes of any man deceasing intestate, not being aboue the value of C.s. vi. And neuerthelesse the sayde Bishop, Ordinarie, or other person, shall not refuse to approue any such testament beinge lawfully tendred to him to be proued, whereof the goodes of the testator amount not aboue C.s. so that y^e said testament be exhibited to him in witting with ware therunto affixed ready to be sealed, & that the said testament be lawfully proued befoze y^e said Ordinarie (befoze the sealing) to be the true, whole, and last testament of the same testator, in such fourme as hath ben commonly accustomed in that behalf. 21. H. 8. 5.

Probate of testaments where the goodes exceede not C.s.

Commission of administration.

2 ¶ When the goodes of the testator do amount aboue the cleere value of C.s. & do no exceede the sume of xl. li. Sterling. Then no Bishop, Ordinarie, noz other person hauing authoritie to take probacion &c. of any testamēt by him selfe, or any of his ministers, for the probacion of any testamēt, or for y^e registering, sealing, witting, praying, making of Inuentories, geuing of acquittances, fines, or any other thing,

Probate of testaments where the goodes exceede not xl. li.

Probate of testaments.

thing concerning the same, shal take oꝛ cause to be take of any persō but only iij.s. vi. d. & not aboue, wherof to be to þ̄ said Ordinary, foꝛ him & his ministers. ij. s. vi. d. & not aboue, & xii. d. residue to þ̄ scribe foꝛ þ̄ registering of the same. 21. H. 8. 5.

Probate where
the goods ex-
ceede xl. li.

3 ¶ Where the goods of the testatoꝛ do amount aboue the clere value of xl. li. sterling, then the Ordinary by him selfe, noꝛ any of his ministers, foꝛ the probate of any testament, oꝛ foꝛ the registering &c. oꝛ any thig cōcerning þ̄ same probate, shal take of any persō but only v. s. & not aboue, wherof to be to þ̄ said Ordinary foꝛ him & his ministers. ij. s. vi. d. & not aboue, & ij. s. vi. d. residue to be to þ̄ Scribe foꝛ registering of þ̄ s̄ae, oꝛ els þ̄ s̄ae scribe to be at his liberty to refuse þ̄ ij. s. vi. d. & to haue foꝛ wyting of euery x. lines of þ̄ s̄ae testament (whereof euery line to containe in length x. ynches) i. d. 21. H. 8. 5.

Testaments shal
be sealed & deli-
uered in time
conuenient.

4 ¶ And euery such Bishop, Ordinary, & other persō hauing au- thority to take þ̄ probatiō of any testamēt, their registers, scribes, & ministers, shal approue, insinuat, scale, & register þ̄ said testamēts & deliuer the s̄ae sealed wth the scale of their office, to the executour oꝛ executoꝛs named in any such testamēts foꝛ þ̄ sūmes abouesayd, & in maner & foꝛme aboue rehearsed, with conuenient spēde, wthout any frustratoꝛy delay. 21. H. 8. 5.

Administratiō.

5 ¶ If any person die intestate, oꝛ þ̄ executoꝛs named in any such testaments refuse to pꝛoue þ̄ said testamēt, then the Ordinary oꝛ o- ther persō oꝛ persōs hauing authority to take probate of testamēts shal graunt þ̄ administratiō of þ̄ goods of þ̄ testatoꝛ, oꝛ person de- ceased, to the widow of þ̄ same persō, oꝛ to þ̄ next of his kinne, oꝛ to both, as by þ̄ discretiō of þ̄ s̄ae Ordinary shalbe thought good, taking suertie of him oꝛ thē to whō shalbe made such cōmissiō, foꝛ true ad- ministratiō of þ̄ goods, cattels, & debts, which he oꝛ they shalbe so authorised to minister. 21. H. 8. 5.

Administration
where diuers
do request it.

6 ¶ And in case where diuers persons claime þ̄ administratiō as next of kinne, which be equal in degree of kinred to þ̄ testatoꝛ oꝛ per- sō deceased, & where any persō oꝛly desireth þ̄ administratiō as next of þ̄ kinne, where in dēde diuers persons be in equalitie of kinred: Then the Ordinary shalbe at his liberty to accept any one, oꝛ moe making request where diuers do require þ̄ administratiō, oꝛ where but one oꝛ mo of thē & not al being in equalitie of degree do make re- quest, then þ̄ Ordinary shal admit the widow, & him oꝛ them onely making request, oꝛ any one of thē at his pleasure, taking nothig foꝛ the s̄ae vnlesse þ̄ goods of þ̄ person so deceased, amount aboue þ̄ va- lue oꝛ summe of C. s. And in case þ̄ goods amount aboue a hundred shillings & not aboue. xl. li. then he and his officers shal take only ij. s. vi. d. & not aboue. 21. H. 8. 5.

How much
the Ordinary
shal take foꝛ
g^{ra}nting admini-
stration.

Inuentorie.

7 ¶ The executour and executours named by the testatour, oꝛ
such

such other person or persons, to whom such administration shalbe committed where any person dieth intestate, or by way of intestate, takinge to hym or them two such personnes at the least, to whom the said person so dying was indebted, or made by any legacie, and vpon their refusall or absence, two honest personnes being next of kinne to the person so dyinge, and in their default or absence, two other honest persons, and in their presence, and by their discretions shal make, or cause to bee made a true and perfect inuentorie of all the goods, cattels, wares, marchandize as well mouable, as not moueable whatsoeuer, that were of the sayde person so deceased, and the same shal cause to bee indented, whereof the one part shalbe by the sayd executour or executours, administratour or administrators, vpon his or their othe or othes, to be taken before the said Bishops, Ordinaries, their Officials or Commissioners, or other persons hauing power to take probate of testaments vpon the holy Euangelists to bee good and true, and the same one part indented shal present and deliuer into the keeping of the said Bishop Ordinary &c. & the other to remaine with the said executour or executours administrator or administrators &c. which Inuentorie so to him tendered, no Bishop, Ordinary &c. shal refuse to take, vnder paine hereafter contained. 21. H. 8. 5.

8 ¶ If the personne deceased will by his testament any landes, tenementes, or hereditamentes to be sold, the money thereof coming, or the profits of the sayd lands for any time to be taken, shal not be accounted as any of the goods or cattels of the sayd person so deceased. 21. H. 8. 5.

Dentse of land
to be sold.

9 ¶ And the same Ordinary &c. vpon the deliuey of the scale and signe of the testatour, shal cause the same scale to be defaced, and therevpon incontinent redeliuer the same scale vnto the sayd executour or executours, without claime or challenge thereunto to bee. 21. H. 8. 5.

The testator's
scale defaced

10 ¶ And in case any person at any tyme require a coppe of the said testament so proued, or Inuentorie so made, then the said Ordinary &c. or his ministers shal without any frustratoury delay, deliuer or cause to be deliuered a true copy of the same, vnto the sayd person demanding the same, taking for the search, & for the makinge thereof, but only such fee, as is before reherfed for the Registering of the sayd Testament, or else the Scribe or Register to be at his liberty, to demand, haue, & take for euery x. lines thereof being of the proportion before reherfed s. 8. 21. H. 8. 5.

Copies of tes-
taments or in-
uentories.

11 ¶ But where any persons hauing authoritty to take probate of testaments, haue vsed to take lesse summes of money then is abouesaid for the probate of testaments, or commissions of Administrations,

Customs to
take lesse money
for probates.

Probate of testaments.

or ther cause concerning the same, they shal take such summe for the same, as they befoze the making of this act, haue bled to take, & not aboue. 21. H. 8. 5.

The forsaithre
for taking moze
then due tie.

12 ¶ Every Bishop, Ordinary, Archdeacon, Chawncelloz, Commissarie, Official, and other person or persons hauing authoritie to take probate of testamēts their Registers, Scribes, Paylozs, Summoners, Apparatozs, & al other their ministers y^e shall do or attēpt, or cause to be done or attempted against this act in any thinge, shall forf. for every time so offendinge to the P. grēued so much money as he shal take contrary to this act. And ouer that, shal forf. to y^e D. & the P. grēued x. li. to be rec. by A. J. &c. wherein no W. C. P. &c. And euery of y^e same Bishops, & other persons which shall incurre y^e daūger of such penalty, shalbe charged only for him selfe, & none of the shalbe chargeable to that penaltie for others offence. 21. H. 8. 5.

Executozs con-
uēred to proue
the wil. or bring
in Inuentories

13 ¶ But this act is not prejudiciall to any Ordinarye or other person, hauing authoritie to take probate of testamēts, but euery of the shal & may conuēt befoze the euery person made executoz of any testament, to y^e intent to proue or refuse the same, & to bring in Inuentories, & to do euery other thing concerning y^e sae, as they might do befoze the making of this act, so y^e alwaies any such Ordinarye &c. or other ministers aforesaid, shall not take for y^e same, aboue y^e fees limited by this act, ne in any wise attempt any thing cōtrary to any part of the same act. 28. H. 8. 5.

Archdeaconry of
Richmond.

14 ¶ No spiritual person or others, hauing any benefice or other spiritual promotion within the Archdeaconry of Richmond in Dorsetshire, shal aske, leuy, demaūd, or take after the decease of any persō, any portion or portions, nor any other demaund or duty, in y^e name or lieu of the same, vpon paine to incurre such penalties, as be contained in the statut of Pousozs made 25. Ed. 3. (vz. they shalbe attached by their bodies, & brought in to answer, & if they be conuict, they shal remaine in prison, without being let to baile or mainprise, or otherwise deliuered vntil they haue payd a fine to the Quēne at her pleasure, & satisfactiō to y^e party grēued, & befoze their deliuerāce they shal find suertie that they shal not attempt such things in time to come. And if they cānot be found, an Origēt shalbe awarded against them by due proces, and writtes shal go forth to appzchende their bodies, & in the meane time the Quēne shal haue the profit of their benefices or other spirituall promotions.) But euery of the Quēnes subiects of the said Archdeaconry, and their executozs and administratozs, shalbe bled for their goods & cattelles after their decease, in like maner as is contained in the forsaidd Statut of 21. H. 8. Any custome, bil. composition, pzescription, or ordinance &c. notwithstanding. 26. H. 8. 15.

The

The Quenes Prohibitiō doth not lie, whē any oblations, obui-
tions, or Portuarie (where Portuaries haue ben vsed to be ge-
nen) be by those names demāded in an ecclesiastical court, although
for the long withholding of the s̄ae, they be estēmed at a certayne
sūme of money. But if a clerke do sell hys tithes being gathered in
his Barne or els where, for a certayne sūme of money, if y money
be demaunded befoze an ecclesiastical Judge, y D. prohibition shall
take place, for by y sale, spiritual things are become tēporal, & tithes
are turned into chattels. Articuli cleri. 9. Ed. 2. 1.

Oblations.
Portuaries.

Money for
tithes.

2 ¶ If an ecclesiastical Judge do enioine penāce for deadly sinne,
as for Fornication, aduoltrie, & such like (for the which sometyme
corpozal punishmēt, and sometime punishment by the purse is en-
ioyned) or for that the Churchyard is unfenced, or the church unco-
uered, or not comeniently decked (in which cases there is none o-
ther punishment but by the purse,) or for laying violent hands vpon
a Clerke, or for defamation whē money is not demaunded, but cor-
rection of the offence required, or for breaking of any othe, or if the
Brelate of a Church, or an Adocate do demaund of a person a pē-
tion due vnto him, y Quenes prohibition doth not lie, & in the fore-
said cases y ecclesiastical Judge hath power to take order, notwithstanding y Quenes prohibition to him directed, Articuli cleri. 9.
Ed. 2. Circūspecte agatis. 13. C. 1. For no prohibitiō shalbe directed
out of y Chauncery, but where the D. maiesty hath, & of right ought
to haue consilance of the plā. 18. Ed. 3. 5.

Penance for
sinne.

The church not
wel bled.

Using violence
to one of the
Clergie.

No prohibition
but where the
Quene hath
cognisance.

3 ¶ If a Brelate or ecclesiastical Judge will appoint that one shal
pay money for his offence, & y money is demaunded of the offēdor,
the D. prohibition doth lie, but if he do enioyne s̄oe corpozal punish-
ment, & they which are to be punished, wil v̄pō their owne accorde
redeeme the s̄ae punishment with money, which money is demā-
ded befoze y ecclesiastical Judge, the D. prohibitiō doth not lie. And
likewise in Excommunication & defamation, the ecclesiastical Judge
may correct by enioining a corpozal punishmēt, notwithstanding the
D. prohibition, the which if y offēdor will redeeme by geuing to y
party grēned money, he may, & y same may be demaunded befoze
an ecclesiastical Judge, & in those cases the Quenes prohibitiō will
not take place. But though anye cause or busines, the cognysaunce
wherof belōgeth to y ecclesiastical court, shalbe s̄oe determined be-
foze an ecclesiastical Judge, & become a thing adūdged, & not stayed
by appeale, if after question be moued vpon the same thing betwixt
the same persons befoze a secular Judge, & bē proued by witnesses
or Instrumēt, the former iudgement shalbe no exception in the se-
cular court, for one cause may be sued befoze ecclesiastical Judges &
secular Judges in seuerall respectes (as for laying violent hands
vpon

Money for
corpozal pu-
nishment.

Where a suit
may be comen-
ced both in the
spiritual & tem-
poral court for
one offence.

Prohibition, Consultation.

upon a Clerke.) And therfore notwithstanding þe iudgement geuen in þe ecclesiastical court, þe Quenes court shal deale in þe cause as it seemeth good. Articuli cleri. 9. Ed. 2. 2. 3. 4. 6.

Indicavit.

4 ¶ If there be debate upon the right of tithes (which hath his original upon the right of the Patronage) & the quantitie of the same tithes do exceede þe iiii. part of the value of þe church (if þe suit be commenced befoze a spirituall Judge) the Quenes Prohibition (viz. a writ of Indicavit) doth lie. 9. Ed. 2. 2. Which writ of Indicavit shal not be graunted to anye man, befoze the matter dependinge in the spiritual court, betwene the parties be recorded, & that the Chaunceloz of England be certified therof by the sight of the libel. 34. Co. 1. De coniunctim feoffatis.

Silua cedua.

5 ¶ If any Parson or Vicar do implead any other in a spirituall court for the tithe of wood being xx. yerres of age or above in þe name of Silua cedua, the party sued shal haue a prohibition, & upon þe same an attachment. 45. Ed. 3. 3.

A mill new buyded.

6 ¶ If any persō do build a new Mill in his ground, & þe parson of the same parish do demaund tithes therof, the Quenes Prohibition doth not lie. Articuli cleri. 9. Ed. 2. 4.

Indictment in the Sherifes turne.

7 ¶ If any clerke or lay person being indicted befoze the Sherife in his turne, & after by enquest deliuered befoze the Justices, do sue in the spirituall court agaynst such inductors, surmising þe they haue defamed him, euerye person feelinge himsele thereby greued, shal haue a prohibition in the Chauncery upon his case. 1. Ed. 3. 11.

Consultation.

8 ¶ If any ecclesiastical Judges do surcease to procede in anye cause moued befoze the by force of the Quenes writ of prohibition, in any case where remedy cannot be geuen vnto the complainantes in the Quenes court by any writ out of the Chauncery, the Lord Chaunceloz, or chiefe Justice for the time being, upon sight of þe Libel of þe same matter, at þe request of the plaintife (if they see that the plaintife can haue no remedy out of þe Chauncery, but that þe matter is determinable in þe ecclesiastical court) shal write vnto þe Judges befoze whō þe matter was first brought in question, þe they shal procede in the sae cause, notwithstanding the Quenes Prohibition to them directed. 24. Ed. 1.

No prohibition shalbe allowed after consultation graunted.

9 ¶ Where a Consultation is once duely graunted upon a Prohibition directed to an Ecclesiastical Judge, the same Judge may procede in the same cause by vertue of the same Consultation, notwithstanding anye other Prohibition deliuered vnto him, but the matter in the Libell of the sayd cause shal not be enlarged, altered, or changed. 50. Ed. 3. 4.

A copy of the libel shalbe deliuered to the

10 ¶ If any party for any cause appointed in the statute provided (2. Ed. 6. for true payment of tithes and offerings) to be sued

or determined in the Quenes ecclesiastical Court, or before the ecclesiastical Judge, doe sue for any Prohibition in any of the Quenes courts where Prohibitions haue bene vsed to be graunted, the before any Prohibition shalbe graunted to him, he shal bring and deliuer to the handes of some of the Iustices or Judges of the same Court, where such party demaundeth Prohibition, the very true copy of the Libel depending in the ecclesiastical court, concerninge the matter wherfore the party demaundeth the Prohibition, subscribed or marked wth the hand of the same party, & vnder the copy of the said Libel shalbe written the suggestion wherfore the party so demaundeth the said Prohibition, & in case the said suggestion by two honest & sufficient witnesses at the least be not proued true in the Court where the said Prohibition shalbe so graunted, within vi. Monethes next following after the said Prohibition shalbe so graunted & awarded: When the party is hindred of his suit in the Ecclesiastical court by such prohibition, shal vpon his request & suit, without delay haue a Consultation graunted in the same case, in the Court where the said Prohibition was graunted, & shal also recouer double costs & damages against the party who so persequeth the said Prohibition, the same to be assessed by the court where the said consultation shalbe so graunted, for which costs & damages the party to whom they shalbe awarded, may haue an A. of debt by B. B. J. &c. in any of the Courts of record, wherin no W. C. B. &c. 2. Ed. 6. 13. S. Tithes 25. &c.

Judge before a prohibition graunted.

Consultation for default of prouing the suggestion.

¶ Prophecies.

If any person do adossedly & directly aduance, publishe, & set forth by writing, printing, singing, or any other open spech or dede, to any person or persons, any sond, phantastical, or false prophecy, vpon or by the occasion of any Armes, Fields, Beastes, Batges, or such other like things accustomed in Armes, cognisaunces, or signets, or bypon, or by reason of any time yere, or day, name bloudshed, or warre, to the intent thereby to make any Rebellion, insurrection, discention, losse of life, or other disturbance within this Realme, and other the Quenes Dominions: Then euery such person being thereof lawfully convicted &c. for euery such offence shal suffer imprisonment by the space of one yere without baile or mainprise, and shal forf. to the Quene & J. r. li. to be recovered by A. J. &c. wherin no W. C. B. &c. And if any offendour do oftsones offend in any of the premises after such conviction, & be thereof lawfully convicted, then hee shal for his second offence & conviction suffer imprisonment without baile or mainprise during his life, & also forf. to the D. & J. &c. al his goodz & cattels reals & personals. But no pso shalbe impeched of any offence

Protections.

offence committed contrary to this act, vnles he be therfore impeched or accused within vi. moneths next ensuing such offence by him done. 5. Pl. 15. S. Iustice of peace 24.

1 The penaltie of prophesying how long, the Queene shall liue, or raigne. S. Nevves 7.

¶ Protections.

By the Q. protection the parties suit shall not be hindered but his execution.

¶ If the Quenes Writte be doe by her Prerogative, graunt to any persons which be bound to her grace for any maner of debt, protections that they shall not bee impleaded for any debtes which they owe to others, vntil they haue made satisfaction to her, for y^e which is due vnto her: Yet notwithstanding every mā which hath cause of action against such debtors, shall be answered in y^e Quens Court by y^e said debtors, & if the plaintife or demandant haue iudgement geuen for him, the execution of the iudgement shall bee suspended, vntill the Quene be satisfied of her debt. And if the creditors will take vpon the to answer the Quenes debt, they shall be thereunto receiued, & moreover shall haue execution against the debtors of the debt due vnto them, & also shall recouer against them so much, as they pay to y^e Quene for them. 25. Ed. 3. 19.

Proteccio cum clausula volumus.

2 ¶ No Protection with the clause (Volumus) shall be allowed before any Judge, for vitayles taken or bought vpon the viage, or service wherof the Protection maketh mencion, nor yet in places of trespass, or of other contracts made or committed after y^e date of y^e same Protection. 1. R. 2. 8.

Protection Quia profecturus

3 ¶ No protection with the clause (Quia profecturus) shall be allowed in any place wherof the suit is commenced before the date of the said protection (except it be in a viage royal, or in y^e Quens messages for y^e affaires of y^e realme.) But they which be impleaded shall make their Attorneys to answer for the in such places, or tarry the selves if they will. But y^e Protection (Quia moratur) shall be allowed, in all cases, as it hath bene. 13. R. 2. 16.

Cause of repealing a protection.

4 ¶ If any tarrey in y^e Countrey without going to y^e service, for the which he is retayned, more the a conuenient time after he hath his Protection, or do returne from the same service, & the Chauncelour of Englad be therof informed, he shall repeale his protection 13. R. 2. 16. And if one do cast a Protection of the Quens service, & his aduersarie wil challenge the Protection, & immediately when it is shewed forth wil auerre that his aduersarie was within the iurisdiction, and forth of the Quens service, so that he might haue come, y^e challenge shall be entred of record, and the matter shall remayne without day, according to the nature of the Protection. And when the party shall be resommoned & come into the Court & demand iudgement, & hearing

hearing of the proces, & offer to auerre his challenge if his aduersary will attend, if y^e enquest passe against him which cast y^e Protection, it shal turne him to a default if he be tenāt, & if he be demandant, he shal lose his w^{rit} & be amerced. 23. Ed. 1. Stat de Protectionibus.

5 ¶ No w^{ritte} of course in the nature of a Protection shal bee graunted within the countie Palentine of Chester, v^{pp}o the suggestion of any person indebted to any other cōming to the Eschequer in the said countie palantine, & there taking a corporal oth, that he shal pay his creditors as he shalbe able (as in time past it hath ben v^{sed}) without a speciall warrant frō the Quēne, her heires o^r successozs containing such Protection. 34. H. 8. 13.

Protection of
the Countie of
Chester.

¶ Purueiours.

¶ If any Chatoz, o^r other officer of any Lorde o^r other person, doe presume to take, o^r els do take any bitailes, cozne, hay, carrages, o^r any other thing of any of y^e Quēnes liege people in any maner against their willes, without making a lawful bargaine betwixt y^e said Chatoz o^r Officer, & the said person (except it be for the Quēne & her house) then if notice o^r request be made to y^e Maioz, Sherife, Bailife, Constable, o^r other of the Quēnes officers of the cities, boroughs, counties, o^r places where such taking shalbe, y^e said Maioz, Officer &c. shal immediatly take & arrest al such Chatozs & officers so offending, and send them to the Quēnes next prison, there to remaine without baile o^r mainprise, until they haue redelivered al the things so taken, o^r the verie value thereof. And if the said Maioz, officers &c. do the cōtrary, they shal forfeit xx. li. whereof the Quēne shal haue the one halfe, & the party from whom y^e things were take the other, if he will sue by A. of debt, wherein no W^{rit}. &c. & if he will not sue, whosoever wil, shal haue the suit to recover the one moytie for y^e Quēne, & the other for himselve. And if any of y^e saide chatozs (other then the Quēnes) be duely convict of such unlawful taking, the they shal y^eld to y^e party which so sueth, the treble value of the things so taken, & the double costs of their suites, and also shal make fine to y^e Quēne. And in all those actions no W^{rit}. &c. 23. H. 6. 14. It seemeth by some statuts, that if any mans chatoz, o^r servant, other then the Quēnes, do take any thing of any man, but of him which wil willingly sell it, as he can agree with the seller, o^r do not pay for it presently according to the agreement, it is Felony in y^e same chatoz. 36. Ed. 3. 6. 7. R. 2. 7. S. 4.

No subjects
Chatoz shal take
any thing a-
gainst the ow-
ners consent.

Felony.

2 ¶ No Sherife, o^r other officer of the Quēnes, no^r any other person, shal by commission vnder the great seale, o^r p^{ri}uie seale, o^r without commission, take, o^r carry away, any maner of cozne, hay, bitailes, ho^rse, bullockes, cartes, boates, shippes, o^r any goods of any

No spirituall
persons goods
shalbe taken.

Purueyours.

Archbishops, Bishops, Prelates, Parsons, Vicars, or of any other of the Clergy vnder the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the fee of the Church, or in market to wnes, or any other places against the wils of them whose the goods be, or of them in whose possession they then do remaine. Neither shal the said Prelates or Clergy be charged to receiue into their houses any hostages, or sojourners of Scotland, or other forraine region. Nor the Horses, Doggs, Faucons, or other Haukes of the Quenes, or any other persons against their wils, sauving they which of auncient right do owe to her grace that seruice, to keepe her Horses, Haukes, Doggs &c. 3. Ed. 1. 1. 10. Ed. 1. 1. 4. Ed. 3. 1. And if any of the N. Purueyours, or takers do the contrary, the Prelats & Clerks shal haue their action of trespass against them, & recouer their treble damages. 1. R. 2. 2. And in all Comissions to be made for the prouision of the Quenes house, the fees of the Church in every place shalbe excepted. 18. Ed. 3. 4.

*Purueyours
shal agree for
things taken.*

*Purueyours shal
shew their Com-
mission.*

3 ¶ Purueyours for the Quenes house shal pay or agree for the prices that they shal make in the countrey, of meat, drinke, & other necessarie things for the same house, with them of whom the things be taken, and they shal haue their warrant or commission to them, (sealed with the Quenes great seale. 36. E. 3. 2. conteyning their auctoritie, & the things wherof they shal make prices, or purueyance, the which warrant they shal shew to the of whom they make their prices, before they do take any thing. And if any purueior of the Quenes house, by reason of his warrant doth make prices in other sort then is before limited, if by complaint made to the Treasorer & Stewarde of the Quenes house, and by enquirie, he be thereof attainted, hee shall agree with the plaintiffe immediately, bee put out of the Quenes seruice for euer, and remaine in prison at the Quenes pleasure. Stat de Pris. 28. Ed. 1. 2.

*Purueyance
without war-
rant.*

Felony.

*Purueyance by
the owners
good will.*

4 ¶ If any make purueyance or prices without warrant, & doe carrie them away against the will of the owner, he shalbe arrested by the towne where the prices were made, & caried to the next gaole, & if he be thereof attainted, he shalbe punished as a Felon, if the value of the goods do so require. 28. Ed. 1. 2.

5 ¶ All purueyances which shalbe made for the Quenes house where she doth abide & passe through the Countrey, shalbe made by warrant & power given to them which shall make the purueyance, in which warrant it shalbe contained, that they shal buy nothing but by agreement betwene the buier & the seller, and by the good will of the sellers, and if any by colour of his commission, take any thinge against this ordinance, none shall be bound to obey him any more, then if he had no commission. 14. Ed. 3. 19.

6 ¶ No Constable or his Basillie, shal take corne or cattel of any man for to vitaille his Castell, if the man be not of the towne where the Castell is, but he shal forthwith pay for the same (except y^e seller will respite the payment.) And if he be of the same Towne, y^e price of the corne and cattel shalbe payed within xl. dayes, (except it be an auncient price due to the Quene, the castell, or the Lord of the Castell.) Mag. Chart. 9. H. 3. 19. West. 1. 3. Ed. 1. 7.

10 newelants for
a Castell.

7 ¶ If any take corne or vitaille to the Quenes vse by credit, or to the garrison of a Castell, or otherwise, & when they haue receiued their paymēt in the Elchquer, wardrope or els where, do withholde it from their credito^rs, if they haue any landes or tenements, it shalbe leued of their lands & goods, & paid to their credito^rs, with the dammage they haue sustayned, & also they shal pay a fine to the Q. for the trespass, & if they haue no lands, they shalbe imprisoned at the Quenes pleasure. 3. Ed. 1. 31.

Withholding
of money
for prices.

8 ¶ If any taker of wodd or tymber to the Quenes vse, for wo^rk or any other thing, do cause to be cut or felled down any mā^s trees growing about or within his house, hee shal pay to the partie his treble damages, be one yere imprisoned, and lose his office. 25. Ed. 3. 6. But by the statut of Mag. Chart. 9. H. 3. 21. no wodd shal be taken for the Quene without the owners consent.

Taking of tim
ber about a
house.

9 ¶ No Puruey^or of the Quenes shal take any moze sheepe before share time, but so many as may reasonably suffice untill share time, & after that time they shal take as many shorne sheepe & not other, as may reasonably suffice for y^e time to come. And if any taker, puruey^or, or buyer, take any sheepe with their woll, betwixt Easter & the feast of S. John Baptist, prai^se them at a smal price & send them to his house to be shorne to his owne profit, & thereof bee attainted at the suit of the Quene, or the party, he shal be vsed as a theefe or a robber. 25. Ed. 3. 15.

Taking
sheepe.

Felony.
Quare.

10 ¶ All purueyances that shalbe made for the Quenes great hozles, so long as they do soiozne in any Countrey, shal be made by the Sherifes of the counties where such hozles do soiozne, & not by any other, and the purueyances made by the Sheriffe in this case, shalbe deliuered to the keepers of the hozles, by Indenture. 10. Ed. 3. 4. But no Comission shalbe made to any, but onely a comāndement to the Sheriffe, that he make purueyance of the issues of his Bailiwick, & the number of the hozles for the which he shal make purueyance shalbe contained in the commandement, and no purueyance shal be made aboue that number: Sauing that y^e chief keeper shal haue a hackney, and for euery hozle shalbe allowed one seruānt without bringi^{ng} woman, pages, or dogges with thē. And if there be any moze found there remaini^{ng} to charge y^e countrey, they shalbe

Purueyance for
the Quenes
hozles.

Purueyours.

**Purueuance for
the Quenes
dogges.**

sent to prison, vntill the Quenes pleasure be knowne. And in lyke maner purueuances shalbe made for the D. dogges, when as the se-
deth them into y^e countrey, & if any man be grieved against y^e forme
aforesaid, he shal haue his remedy against y^e Sherife. 14. Ed. 3. 19.

**Purueuance for
the Quenes
wardrope.**

I 1 ¶ Takers of prizes in Faires, good towne, and in Ports, for
the Quenes wardrope, shal haue their common warrant vnder the
great seale, & the things that they shal take, shalbe testified vnder y^e
seale of the keeper of the wardrope. Of the number of the thinges
taken, the value, & the quantitie, there shalbe an indenture made be-
twene the takers & the keepers of faires, Markets, and Bailifes of
those towne and portes where such goods be taken, by the viewe of
those marchants whose goods be taken, & they shal take no more thē
is contained in their indenture, which indenture shal be sent into y^e
wardrope vnder the seale of the keepers of the faire, Market, or chiefe
bailife, there to remaine vntill the accompt of the wardrope be ge-
uen to y^e Quene. And if any be found that he hath taken other wise
then he ought to do vpon his accompt, he shalbe punished by the kee-
pers of y^e wardrope, according to his deserts. And if any make such
prizes without warrant, he shal be punished as a felon, if the value
of the goods do require it. 28. Ed. 1. 2.

Felony.

**No bitailler
shalbe a taker
of carriage.**

I 2 ¶ If any Letters patents at any time shalbe graunted to any
hostelers, bzetwers, or other bittallers keeping hosteries, or houses
of retaining of bitailes, to take hoxles & carts for the Quenes car-
riage, the same patents shalbe holde. 28. H. 6. 2.

**Taking money
to spare any
mans hoxse or
cart, or taking
without an of-
ficers deliuey.**

I 3 ¶ If any person do take any Hoxse or Cart, without agreeing
with the owner for the same, & by the deliuerance of y^e Market, Sher-
rife, Bailifes, or Constable, where such taking is, or doe take any
money of any person for to redeliuer vnto him his Hoxse or Cart,
which he hath taken, or doe take any fine of any the D. people to
the wth them saue, & not to take their hoxses or carts, then he or they
from whom such hoxse or cart, or of whom such fines or paymētts be
taken, shal haue an action of trespass at the comon lawe for such ta-
kings, & shall reconer against the offendor treble damages. 28. H. 6.
2. 3. Ed. 1. 31. But no demesne cart of any spiritual person, knight,
or Lord, shalbe taken. Magna Charta. 21. 9. H. 3. 21.

**Receiuing re-
ward to charge
an other.**

I 4 ¶ No buter or puruefor of bitailes, or taker of cartages, shall
receiue of any one or other any gift, or other good turne to spare
him, nor to charge or grieve any man by reason of such takings,
buyings, and cartages for hatred, enuy, euil wil, or procurement, &
if he do, & thereof be attainted at the parties suit, he shall yeld to the
party his treble damages, haue ii. yeres imprisonment, be punished
at y^e Quenes pleasure, & forswear the court, & if the party will not
sue, he y^e will sue for the Quene shal haue the thirde peny of y^e which
shalbe

shalbe recovered, for his paines, & neuertheles the purueyoz shal receive the foresaid punishment. 36. Ed. 3. 3.

15 ¶ Certaine Marchantes, or other honest and discreete men shalbe assigned by the Lord treasorer to make purueiance of flesh, fish, & other vitailles for the Quenes warres, & for to vitaille Castels, & townes in England, or els where, without comission, & wout the Quenes auctoritie or any other, so y no man shal be enforced to sell any thing against his will. 14. Ed. 3. 3.

Purueiances
for Ships and
Castels.

16 ¶ All Takers & Purueiozs shal take al corne, hay, litter, and other vitaille & goods of the Quenes people by measure striked, according as is vled thzough the Realme, & shal not measure the by heape, nor other wise take excessive measure, and shal make present payment for the carriage thereof, & no man is bound to deliuer for the quarter but viii. bushels striked. 4. Ed. 3. 3. 25. Ed. 3. 1. 36. Ed. 3. 2. 11. H. 7. 4. And if any of the Quenes Purueiozs or other persons, do buy or take any corne in other sort, or by other measure but viii. bushels striked for the quarter, & thereof is attainted, he shal be one yere imprisoned, pay to the Quene C. s. & to the party greued as much for every time that he is thereof attainted. And the partie that wil sue, may haue his actiō vpo y case, & astwel y party greued, as every one of y Quenes liege people, which wil sue for y Q. may maintaine y suit in this case at his pleasure. And nothing shalbe taken for measuring of y said corne. 1. H. 5. 10. 11. H. 6. 8.

By what mea-
sure purueiozs
shall take.

17 ¶ The Corne, Cattaille, and other vitaille, and things which shalbe taken for y Quenes house, shalbe taken in such place where most plentie is, and in conuenient time, & no moze then is needeful for that season, & if the Purueioz or Buyer cannot well agree with the seller, for y which he shal neede, then the same shalbe praised at the very value, by the Constables, & iiii. honest men of the towne where such taking is thereunto swozne, & the praisers shal not bee constrained by manasse, thzates, dures, or other villanie to set any price, other then their othes do require, but as such things doe commonly go in the next markets, & Indentures or tailles shal be presently made betwixt the Purueiozs & those from whome the goods be taken, in the presence of the said Constables & iiii. praisours, containing the quantity of their takings, the price, & of what persons, & they shalbe sealed with the Purueiozs seale, by which Indentures or Tailles satisfaction shalbe made to them from whom such goods be taken, and if any taker or purueioz do make his prouision in any other maner then by iiii. discreete men of the towne, or doe not deliver Tailles or Indentures with his seale as is beforesaid, he shalbe incontinently arrested by the Towne where such purueiance was made, and bzought to the next gaole, and if he be thereof attapnted, he

Appraisement
of things pur-
ueyed.

Purueyours.

Felony.

Quere.

**Commissions
to enquire of
purueiours be-
hauours.**

Felony.

**Disceiuaunce in
other maner
then is comprised
in his commissi-
on.**

**The name of
purueiours
changed.**

**Resistance of
the purueiours
offending.**

he shalbe punished as a Felon, if þ quantity of þ goods doe require,
5. Ed. 3. 2. 10. Ed. 3. 1. 25. E. 3. 1. 36. Ed. 3. 2.

¶ But consider the foresaid Statutes diligently, whether the ap-
praisement shalbe made by the Lordes of the Towvnes, or their
Bailiffes, or by the Constable and iii. men of the Towvne, and
whether there shall be Indentures deliuered or Tayles, and also
whether the said Indentures or Tayles shall be made betwene
the Purueiours & iii. praisers, or betweene the purueiours & ovr-
ners &c. for therupon the foresaid statutes do somevwhat differ,
S. 27. 28.

18 ¶ Commissions shalbe directed vnto two wise and credible
men of euery county, & to a thirde man of the Quenes house, þ they
thre or two of them shall inquire of the behauour of the Quenes
Purueiours & buyers, & howe much þ Quenes purueiours of vitayles
and of great hozles haue taken & bought, & howe much carriage they
haue taken of euery village or singuler per. s. & to heare & determin
aswel at þ Quenes suit as at any other mans which shal find him
selfe græued, the cōtemppts, outragious dealings, & trespasses com-
mitted by them in this matter. And that the saide Justices or com-
missioners may be duely informed of the foresaide things, the Ste-
ward. Treasorer, & Comptroller of þ Quenes house shal assemble
together, & call befoze thē, all the clerks & other officers of the same
house, & seeing the receipt of þ parcels purueied in þ countrey, & spent
in the saide house euery quarter, or halfe peere, shall certifie into the
Chauncery þ parcels takē in euery village, & of euery person, which
certificat þ Lord Chaunceloz shal sende downe to the foresaid Jus-
tices or Commissioners, & if it be found at the Q. or the parties suit
in the countrey by euidence of their indictors, or in other maner, þ
the purueiours haue takē more thē they haue deliuered to þ Quenes
house, & that they haue not paid for that which they haue taken, it
is Felony, and they shalbe punished as felons. 36. Ed. 3. 4.

19 ¶ If any taker or buier, after cōmission to him directed, doth
puruey or buy, or take any carriage in other maner then is comprised
in his commission, it is Felony. 36. Ed. 3. 2.

20 ¶ Euery Purueiour and buier for the Quene, befoze he hath
his Commission, shalbe swozne in the Chauncery, that he shal take
nothing of the Quenes people, cōtrarie to the foresaid statut made
36. Ed. 3. against þ disorder of Purueiours. In which statut amongst
other thinges it is ordained, that the haynous name of Purueiours
shalbe changed, & that they shalbe called buiers, & þ there shall be as
fewe of them as may be. 23. H. 6. 1.

21 ¶ The praisors, and al the towvnes adioyning (if need be) are
bounde to doe their endeouour, to resist the buyers and Purueyours
doing

doing contrary to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute upon the purueyours if they be required, and hee which is grieved with the taking of his goods contrary to the said statute, may chosse to haue his action of det against the said praisors, to towne or to wones, and euery of them which do not their endenour in resistace of the said purueyours or buyers, in sozme also: said when they be required, or els against the said purueyours & euery of them, to reconer treble value of the goods so taken, and also his treble costes and damages. And if any purueior, or other of the Quènes officers do trouble in the Marshalle, or els where any of the Quènes liege people by any euill suggestion, or cause sayned against them, because of the execution of y^e sozefaid ordinaunces made 36. Ed. 3. he shal soz. to the party grieved xx. li. beside his damages & costes thereby sustained: And the partie shal haue thereupon an actio of det. And euery issue triable in this action shalbe tried in the county where y^e goods were taken, & y^e defendants in al the sozefaid cases, shal answer without souching, and no W. sc. C. p. nor ayde of the Quene shal be allowed to them. And the Sergeant of the Catrie, shal satisfie all the damages, debts, & executions which shalbe recovered against any Purueior vnder him in al the sozefaid cases. And if the Purueior be not sufficient to make satisfaction, the plaintife shal haue a Scire facias against the saide Sergeant to haue execution. 23. H. 6. 1.

Sergeant of
the Catrie.

22 ¶ No Purueior or Buyer shal make any purueiance for the Quènes house of any thing to the value of xl. s. or vnder, except he make ready payment in hande, vpon paine to loose his office, and to pay the value to the partie grieved. 2. H. 4. 14. And in case any purueior, buyer, or taker, will take or buy any thing to the value of xl. shillings or vnder of any person, and make not ready payment in hande, then it is lawfull to euery of the Quènes liege people to retaine their goods and cattels, and to resist such purueyors and buyers, & in no case to suffer them to make any purueiance. And euery Constable, Withingman, or chiefe pledges of euery towne or hamlet, where such purueiace shalbe made, shalbe assisting to the possessor or seller of such things, to be taken against the forme afozefayde, to make resistance in sozme afozefaid, in cases they be required so to do, vpon paine to yeld to the partie grieved y^e value of the things so taken, with his double damages, & none of y^e Quènes people shalbe put to any losse or damage by the Quene, or any of her officers for such resistace, & none of the M. officers shal cause any of y^e Quènes people to be arrested, herred, or impleaded in y^e court of the Marshalle, or els where, for such retaining or not sufferance, vpon paine to soz. xx. li. to y^e M. & J. sc. & in euery actio comēced vpon this statute,

Ready payment.

Purueyours.

the defendant shall answer wthout aide of the Quene, & in such ac-
tions proces shalbe made, as in a writ of Treipas done against the
peace. 20. H. 6. 8.

The Queenes
Purueyours
may take wth:
in liberties.

23 ¶ Purueyours assigned by the Quenes Commission for
prouision of her grace, shall & may provide all vitailles, corne, & other
kinde of things whatsoeuer it be, as wel wthin liberties & franchises as
without, any graunts, allowāce, or other thing to y^e contrarie, or let
thereof notwithstanding. But such purueior shall obserue the statutes
for them prouided in euery behalfe. 27. H. 8. 25.

Taking of fish.

24 ¶ No Purueior or other person whatsoeuer, shal by vertue of
any Commission or otherwise, take any herring, or sea fish, frō any y^e
D. subiects, y^e shal take y^e same in y^e ships or other vessels of the said
subiects, otherwise thē by agrēment of y^e owners or sellers of y^e said
fish, vpon paine to forf. the double value of the herrings or fish so ta-
ke. And it is lawfull for any persō being owner or seller of any such
fish so taken, to withstand any person y^e will (by colour of purueying
or otherwise) demaund any such fish, or y^e toll of any such fish, wthout
the good will of y^e owner or seller: Prouided y^e the fish called Com-
position fish, heretofore graunted to y^e Quene by y^e subiectes of this
Realme traauailing into Island, shalbe taken by her Maiesties Of-
ficers & Purueiors, in such sort as y^e s^ae hath ben lawfully vled to be
taken before y^e making of this act. And sauing to y^e D. her heires &
successors, & to al other persōs, such fishes as be knowen & vled to be
called regal fishes, wherūto her Maiesty or y^e said other persōs haue
or shal haue right or interest for such recompence as heretofore hath
ben accustomed. 5. Cl. 5. to continue to y^e end of y^e next parliament.

Composition &
Regal fish.

How long com-
missions for the
taking of vitaille
shal endure.

25 ¶ Euery Commission that shalbe made, graunted, & directed
to any person or persōs, wherby he or they, or his or their deputies
shal haue authoritie to take any Bēues, wethers, lambes, calves,
or any kind of salt fish, or any kind or kinds of graine, or Butter in
barrels, or other vessels, Cheese, Bacon, Conies, Pigges, Cēse,
Capons, or Hennes, shall not continue aboue five moneths at the
farthest, next ensuing the date of any the said Commissions, and
after the end of the said five monethes, euery of the said Commissions
shalbe void, whatsoeuer words, matter, or sentences be contayned
in any of them. 2. 4. 3. H. 7. 6.

In commissions
the Countie
where, and the
quantity of the
things to be
taken, shalbe
expressed.

26 ¶ In euery such Commission, shalbe plainly as well expressed
such countie or counties, as any of the said bēues, wethers, lambes,
calves, hogges, or swine, or any kinde of Salt fish, or any kinde or
kinds of graine, Butter, Cheese, Bacon, Conies, Pigges, Cēse,
Capons, or Hennes, is to be purueied or taken in by any of the per-
sons, or their deputies so authorized by the said commission, as also
the full portion and number of all such bēues, wethers, lambes &c.

or any

or any of them, as any of the saide persons or their deputies shall be by force of the saide commission aucthorized to take or puruey within any of the saide Counties. Anno. 2. & 3. P. & P. 6.

27 ¶ To every such commission shall be annexed so many blanks; ^{Blanks annexed to commissions.} in parchment as there shall be severall counties named within the saide commission, in the which blanks shall be faire & leageably written, all & every such Beeves, Wethers, Lambs, Calves, Swine, any kind of salt fish, or any kinde of graine, butter, cheese, bacon, conies, pygs, geese, capons, & hennes, with the true and severall prices of every of them, as shall be purueied & gathered by any person or his deputies therunto aucthorized by any such commission, within any particuler towne, parish, or hamlet, being within any those counties as shall be expressed within the saide commission, wherunto shall be subscribed the name or signe manuell of every such high constable, petit constable, or headborough, as shall be by any precept to him directed by any person, or any of his deputies, aucthorized therunto by such commission, privity or knowledging to the deliuey of the saide Beeves, or other things aforesaid or any of them. 2. & 3. P. & P. 6.

28 ¶ Every person or his deputie which shall be by commission aucthorized to take any beeves, wethers, lambes, calves, swine, salt fish, or any kind of graine, butter in barrells, or other vessels, cheese, bacon, conies, pigs, geese, capons, & hennes, or any of the, shall make a Docket or bryefe in writing subscribed with his name, containing all & every such Beeves, Wethers, & other thinges aforesaid, as hee shall by vertue of the saide commission take within any particuler towne parish, or hamlet in any such county or counties, as shall be expressed within the saide commission, and the same Docket or bryefe faire & leageably written & subscribed, shall truly deliuer to the sayde high Constable, petit Constable, or headborough, at such present time, as the saide beeves, or other thinges aforesaid shall be deliuered to any of them, upon paine of one yeeres imprisonment, & to forfeit a hundred markes to the D. & J. to bee recovered by A. J. &c. wherein no W. &c. C. P. &c. as oft as he shall offende. All which dockets or bryefes, ^{Dockets deliuered to the high constables.} the saide high constable, petit constable, or headborough shall deliuer over to the Justices of peace at the next general sessions holden within any of the saide counties. And the same Justices or two of the, may & shall from time to time certifie the whole number & content of all and every the saide dockets & bryefes to the Lord Steward of the D. household, or to the Treasurer or Comptroller of the same, or any of them, or to the Treasurer or comptroller of the D. Ships, if provision of any the thinges before mencioned be taken for the vitailing of the Paule, or any of the D. Ships, whereby the true serving of any of the aforesaid Commissions, and true answering of the same shall

Purueyours,

shall fully appeare. Ann. 2. & 3. P. & M. 6.

All former statutes provided for purueyours must be obserued.

29 ¶ It is not lawfull to any person, or his deputies authorized by such commission, to leuie, take, or puruey any Beeces, Wethers, Lambes, Calues, any kinde of salt fish, Graine, Butter in vessels, Cheese, Bacon, Conies, Pigs, Geese, Capons, and Hennes, or any of them, in any other sort then is expressed in several statutes here tofoze made for Purueyours, vpon such paines, as in the said seuerall statutes is contained. 2. & 3. P. & M. 6.

Statutes provided for purueyours shall extend to their deputies.

30 ¶ All such lawes, statutes, & prouisions as heretofore haue bene made against Purueyours, & every of the penalties and losses appointed in any of the same against Purueyours and takers, shall also be extended and executed vpon every of their vnder takers, deputies, and seruantes. And all other which by colour shall take any bittaille or any other thing by force of any such Commission from any the D. subiectes, contrary to the tenor and effect of any of the said lawes or statutes, in like maner to al intents, as yf same shoulde or ought to be extended against Purueyours and takers themselves, and as strongly as if the saide vnder takers, deputies, and seruantes were specially & particularly named in every of yf same estatutes. 2. & 3. P. & M. 6.

Commissions written in the English tounge.

31 ¶ Every Commission that shalbe made and graunted vnto any Purueyor, shalbe witten in the English tounge, and not otherwise. 2. & 3. P. & M. 6.

Procurance within Cambridge or Oxford, five miles thereof.

32 ¶ No Purueyor, Taker, Badger, Lader, Bulter, or other minister for the D. &c. nor any other common Bulter, shall take, or bargain for any kinde of bittaille or graine in any of the markettes or Townes of Cambridge, or the Citie of Oxford, nor within the compasse of five miles thercunto adioynning, without the consent & licence of either of yf Chawncelloz or Vicechawncelloz in writing obtained vnder the seale of the Office of yf said Chawncelloz or Vicechawncelloz of either of the said Universities, and in no other forme then in the said licence shalbe expressed, so as the same giue not to any of the said Purueyours or others, any further authority then they haue, or may lawfully vse in those partes of the same countrey, being without the saide limits of five miles. Neither shal attempt to take away, or bargain for any graine & other bittaille bought & provided within the said space of five miles, by any common minister of any Colledge, Hostel, or Haule, to be spent within any of the same Colledges, Hostels, or Haules, without like licence, & in no other forme then is next afore mencioned, vnder paine of forfeiture of yf quadruple value of any such graine or bittaille so taken or bargained for, in any of the said markets, or within the space of five miles, or attempted to be taken, caried away, or bargained for, being prouided to be spent

to any of y^e said colledges, hostels, or haules: The one halfe of which forsaithes shalbe to the common Treasorer of either the said vniversities, respectiue to the fault committed against this their priuiledge, the other to the party that will sue for the same by A. J. &c. in any Court of recorde, or befoze the foresaide Chauncelloz or his Vicechauncelloz, or Comissary, and two Iustices of peace of that Countie where the saide Vniuersitie is set, and further shall suffer imprisonment for the space of thre monethes, without bayle or mainprise. 2. & 3. P. & P. 15. 13. Cl. 21. 14. Cl. 11. S. Iustices of Peace. 60.

33 ¶ If any person within the said precinct of five miles, shal refuse reasonably to serue the necessary prouision of the said vniversities according to the true meaning of this act, then it shalbe lawfull to any of y^e M. Takers or purueiours to prouide any corne or bittaille of any such person within any part of the precinct aforesaide, to the vse of the M. as shall be declared to the saide Takers to be persons not worthy of the said priuiledge, (for not reasonable seruing the necessities of the said vniversities) by the Chauncelloz or vicechauncelloz of either of y^e said vniversities, with the consent of two Iustices of peace resident within either of the said Vniuersities, cite, towne, or countie, vnder their hands and seales, as the said purueiours lawfully may in any other place within the saide precinct of five miles, and not otherwise. 13. Cl. 21. 14. Cl. 11.

Purueiours
may take of the
which refuse to
serue the Vni-
uersities.

34 ¶ But this act shall not bee put in execution at any time, whensoever the M. her heires or successors shal come to any of both the saide Vniuersities, or within viij. miles of eyther of them, but shalbe in suspence during that time onely, and no longer. 13. Cl. 21. 14. Cl. 11.

The act suspended
during the
Queens contin-
uance within
seven miles.

35 ¶ This act shal not be prejudicial to the Maior, Balliues, & comminalltie of the cite of Orford, nor to y^e Maior, or comminallty, of the Towne of Cambrige, or to their successors, concerning any of their liberties or priuiledges. But euery of them and their successors respectiue may haue and vse the same in such maner as they ought to haue done befoze &c. 2. & 3. P. & P. 15. 13. Cl. 21. 14. Cl. 11, to continue in force vntill the ende of the next Parliament.

The libertie of
Orford & Cam-
bridge reserved.

1 That no Purueiour of tymber shall fell anye tymber to the Queenes vse but only in barking time, or else shall take away any more then onely the timber tree. S. Barke. 2.

2 That the statute prouided 35. H. 8. for the preseruacion of vwoods, shall not extende to vwoods purueyed by the Queenes Commission. S. Woods. 17.

3 Concerning Purueyours for Cities and corporate Townes. S. Badger. 4.

¶ Quare

¶ Quare impedit.

1020ces in
Quare impedit.

I **P** assies of Darreine presentment, & in y^e plée of Quare impedit of churches being boide, dates shalbe giuen from xv. dayes, to xv. dates, or from iiii. weekes, to iiii. weekes, as the place shalbe neare or far of. And in the plée of Quare impedit, if the disturber do not come at the first day whereunto he is summoned, nor do cast an Esoine, thē he shalbe attached against another day, in which day if he come not nor cannot cast an esoine, he shalbe distrained by y^e ground Dⁱstresse, and if he do not then appeare, by his default the Bishop of y^e same place shalbe w^ritten vnto, that y^e disturbers denial shal at this time nothing hinder the plaintife. Sauing the disturbers right an o^rther time when he will sue. Marleb. 52. H. 3. 12.

¶ Queene, Crovne, and supream gouernement.

The Queene
inoyeth all re:
gal power as
king.

The law of this realme is, and euer hath ben, and ought to be vnderstanded, y^e the kingly or regal Office of this realme, & al dignities, Prerogatiue, royal power, preheminences, priuiledges, authorities, and iurisdiccions thereunto annexed, or belonging, being inuested either in male or female, ar, & bee, and ought to bee, as fully and entirely accepted, inuested, & taken in the one, as in y^e another, so that what or whensoeuer statute or lawe dooth appoint, that the King of this realme may or shal haue, execute, and doe any thing as king, or doth giue any commoditie to the King, or doth appoint any punishment for the correction of offenders against y^e regaltie & dignitie of the king or of the Crowne, the same M. (being supream gouernesse, possessor, & inheritour to the imperiall Crowne of this Realme, as our soueraigne Lady the M. most iustly presently is) may by y^e same authority likewise haue, exercise, execute, correct, & do to all intents without doubt or question. 2. H. 2. Parliament 1.

All foraine po:
wer abolished.

2 ¶ No foraine Prince, Person, Prelate, State, or Potentate, spirituall or temporal, shal vse, inioy, or exercise, any maner of power iurisdiction, superiortie, authority, preheminence, or priuiledge spirituall or ecclesiasticall, within this Realme, or within any other the Quēens dominions that now be, or hereafter shal bee, but the same shal be clearly abolished out of all her dominions for euer. 1. El. 1.

Ecclesiasticall
iurisdiccions
annexed to the
Crowne.

3 ¶ Such iurisdiccions, priuiledges, superiorties, and preheminences spirituall, as by any spiritual power hath heretofore bene, or may lawfully be vse for y^e visitation of y^e ecclesiasticall state, & persons, & for reformation, order & correction of the same, & of al maner errors, heresies, schismes, abuses, offences, cōtemp^ts, & enormities, shal for euer be vnited to the imperial Crowne of this realme. And the M. her heires & successors, Kings & M. of this realme, shal haue full power by letters patēts vnder the great seale, to name and authorize whē, as often, & for so long time, as her highnes, her heires or successors

Commissioners
in causes of re:
ligion.

successors shall thinke meete, such person or persons (being naturall borne subiects to her grace, her heires and successors) as she or they shall thinke meete, to occupy & execute vnder her ec. al maner of Iurisdiction, priuiledges, & preheminences in any wise cōcerning any spiritual iurisdiction, within England & Ireland, or any other the M. dominions, & to visite, refozme, order, correct, & amēd al such erroz, heresies, schismes, abuses, offences, contempts & enozmities, which by any ecclesiastical power may lawfully be ordered, corrected or amended, to the pleasure of God, the increafe of vertue, & the conseruation of the peace, and vniy of this realme. And such persō or persons so authozized by the M. ec. after y^e said letters patentes to him or them deliuered, shall haue authozitie vnder the M. ec. to vse and execute all the premises, according to the tenor and effect of the said letters patentis ec. I. Cl. I.

4 ¶ Every persō hereafter particularly named, shall make, take, and receiue a corporal oth vpon y^e Euangelists, according to y^e tenor & effect folowing befoze such persons, at such places & in such times, as be hereafter specified.

I A. B. do vtterly testifie, & declare in my conscience, y^e the M. The othe. highnes is the only supream gouerno: of this realme, and of all o: ther her highnes dominions and countries, as well in all spirituall, or Ecclesiastical things or causes, as tempo:al. And that no foraine Prince, Person, Prelate, State, or Potentate, hath or ought to haue any iurisdiction, power, superiortie, preheminence, or authozitie, ecclesiastical, or spirituall, within this realme, and therefore I do vtterly renounce, & forsake al foraine iurisdiction, powers, superiorties, & authozities, & do promise y^e from hencefozth I shal beare faith & true allegiance to the M. highnesse, her heires & lawfull successors, and to my power shal assist & defend all iurisdiction, priuiledges, preheminences & authozities, graūted or belonging to y^e M. highnes, her heires & successors, or vntied & annexed to the imperial Crowne of this realme, so helpe mee God, and by the contentes of this booke. I. Cl. I.

5 ¶ All & every Archbishop, Bishop, & every other ecclesiastical person, & ecclesiastical officer or minister, and every Judge, Justice, Mayo: and other lay or tempo:al officer, and every other person ha- These persons shall take the othe. uing the M. fee or wages, within any her dominions, shall receiue the same oth befoze such person or persons, as it shall please y^e M. ec. vnder y^e great seale of Englād to assigne to take y^e same. And every person that at any time shalbe preferred ec. to any Archbishopricke or Bishopricke, or to any other ecclesiastical benefice, promotion, dignity, office, or ministry, or y^e shalbe by y^e M. preferred to any tempo:al or lay office, ministry, or seruice, within any her dominions, befoze

Queene, Crowne, &c.

before he shal take vpon him to receiue vse, exercise, supply, or occupy
 any such Archbishopricke, Bishopricke, promotion, dignitie, office,
 &c. shall receiue y^e same oth before such persons as shall haue auctho-
 rity to admit any such person to any such office &c. or els before such
 person &c. as by the D. &c. vnder the great seale, shall be assigned, to
 minister the said othe. And euery person temporall, suing liuery, or
 Ouster le maine, out of the hands of the D. &c. before his liuerye, or
 Ouster le maine sued forth & allowed. And euery temporall person
 doing any homage to the D. &c. or that shall be receiued into seruice
 with her &c. shall take the foresaide corporall othe before the Lorde
 Chaunceloz, or Lord Keeper &c. or before such person &c. as by y^e D.
 &c. shalbe appoynted to receiue the same. And euery person takinge
 orders, & euery other person which shalbe preferred to any degree of
 learning in any Vniuersitie within this Realme or dominions, be-
 fore he shal receiue such orders, or be preferred to such degree of lear-
 ning, shall take the foresaide othe before his Ordinarie, Commissarie,
 Chaunceloz, or vicechaunceloz, or their sufficient deputie in the saide
 vniuersitie. I. Cl. I. And al other persons which haue taken, or shall
 take orders, commonly called Ordines sacros, or ecclesiastical orders,
 haue ben or shall be preferred, or admitted to any degree of learning
 in any vniuersitie within this realme, or dominions to the same be-
 longing. And al Scholmasters, publique & priuat teachers of childre,
 as also, al persons y^e haue taken, or shal take any degree of learning,
 in, or at the comon lawes of this Realme, as wel vtter Barresters,
 as Benchers, Readers, ancients in any house, or houses of Court,
 & al principal Treasurers, & such as be of the graund company in eue-
 ry Inne of Chauncery. And al Attorneys, Prothonatozies, & Phil-
 lizers, towards the lawes of this realme, & al manner of Sherifes,
 Escheatoz, & Feodaries, and al other person & persons which haue
 taken, or shal take vpon him or them, or haue ben or shalbe admit-
 ted to any ministry, or office, in, at, or belonging to y^e comon lawe
 or any other lawe or lawes, or to, or for y^e execution of the, or any of
 the v^esed or allowed, or at any time hereafter to be v^esed or allowed,
 within this realme or any y^e dominions or countreies, belonging or which
 hereafter shal happen to belong to y^e Crowne, or dignities of y^e sae.
 And al other officers or ministers, of, or towards any Court what-
 soeuer, and euery of them shal take and pronouce a corporal oth vpon
 the Euangelists, before he or they shalbe admitted, allowed, or suf-
 fered, to take vpon him or them to vse or occupy any such vocation,
 office, degree, ministry, roome, or seruice, as is aforesaid, and that
 in the open court, wherunto he doth or shal serue or belog. And if he
 doe not, nor shall not serue nor belonge to an open Courte, then he
 shall take the othe aforesaide, in an open place before a comenient
 assembly

assemblie to witnesse the same, and befoze such person oꝛ persons as haue aucthority by cōmō vse, oꝛ other wise, to admit oꝛ cal any such person to any such vocation, rōmeth, oꝛ seruice, oꝛ els befoze such, as by the D. cōmission vnder the great seale shalbe assigned to accept the same, accoꝛding to the tenoꝛ, effect, and fourme of the same oth, Verbatim. And euery person which shal be elected oꝛ appointed a Knight, Cittizen, oꝛ Burges, oꝛ Baron foꝛ any of the siue Portes, foꝛ any Parliament, shal befoze he shal enter into the parliament house, oꝛ haue any voyce there, openly receiue & pronounce the sayd oth befoze the Lord Steward, oꝛ his deputie oꝛ deputies appointed. And he which shal enter into the parliament house without taking the said oth, shalbe deemed no knight, cittizen, burgesse, noꝛ barō foꝛ y parliament, noꝛ shal haue any voice, but shalbe to al intents, as if he had neuer ben returned, noꝛ elected Knight, Cittizen, Burgesse, oꝛ Baron foꝛ the parliament, & shal suffer such paines and penalties, as if he had presumed to sit in the same, without election, returne, oꝛ aucthoritie. And euery Archbishop, & Bishop, haue power to tender the oth aforesaid, to euery oꝛ any spiritual person, within his proper Diocesse, aswel in iurisdictiones &c. exempt, as els where. 5. Cl. 1.

To whom Bishops may tender the oth.

6 ¶ If any person appointed, oꝛ compellable by either of y acts made An. 1. Cl. & 5. Cl. to take the said oth, oꝛ any person to whom the said oth shalbe tendered by others hauing thereunto aucthoritie by commission. directed vnto them by the Lorde Chancelor &c. oꝛ Lord Keeper, vnder the great seale of England (which without further warrant hath aucthoritie to direct such commission) shal at the time of the said oth so tendered, refuse to take oꝛ pronounce y same in maner & foꝛme aforesaid, then y partie so refusing, & being therof lawfully indicted, oꝛ presented, within one yere next after any such refusall, & convicted oꝛ attainted at any time after, accoꝛding to the law, shal suffer, and incur the paines, penalties, & foꝛfaitures provided by y Statut of Prouision & Præmunire, made 16. R. 2. 5. Cl. 1.

The punishment of the refusal of the oth.

7 ¶ All and euery such person and persons, hauing aucthoritie to tender the othe aforesaid, shal within xl. dayes next after such refusall of the saide othe, if the Terme bee then open, and if not, then at the first day of the full terme next following the saide foꝛtie dayes, make true Certificate vnder his oꝛ their Seale oꝛ Seales, of the name oꝛ names, places and degrees of the person, oꝛ persons so refusing the same othe in the Kinges Benche, vpon payne that euery of the saide persons hauing such aucthoritie makinge default of such Certificate, shal foꝛ euery such defaulte foꝛsayte C. pounde to the Queene &c. And the Sheriffe of the Countie where the Kinges Benche shalbe holden, shal oꝛ may impanel a Jurie of the same Countie, to enquire of euery such refusall, which Jurie shal

Certificate of y refusal into the Kinges bench.

Queene, Crowne, &c.

shal and may vpon euery such certificat, and other euidence to them giuen, indict the offendour, in such sorte, as they may doe of any offence committed against the Quēenes peace, within the same countie &c. 5. Cl. 1.

The 2. refusal
of the othe.

8 ¶ If any of the persons appointed by this Acte, to take the othe aforesaide, doe after the space of thre monethes next after the first tender thereof, the seconde time refuse to take, and pronounce, or do not take or pronounce the same, in foure aforesaid to be tendered: Then euery such offendour, for the same second offence, shall forfait and suffer such like, and the same paines, forfeitures, Judgements, and execution, as is vled in cases of high Treason. But this Act &c. or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disinheriting of any heire, forfeiture of dower, nor to the prejudice of the right or title of any person, other then of the offendour, during his naturall life onely. And it shall and may bee lawfull to euery person and persons to whome the right or interest of any landes, tenements, or hereditamentes, after the death of any such offendour should or might haue appertained, if no such attainder had bene, to enter into the same without any Ouster le maine to bee sued, in such sort, as bee or they might haue done, if this act had neuer bene made. 5. Cl. 1.

Barons.

9 ¶ This act shal not extend to compel any temporal person, or above the degree of a Baron of this Realme, to take or pronounce the othe aforesaide, nor to incur any penalty limited by this act for not taking or refusing the same. 5. Cl. 1.

Who shall take
the othe vpon
the second ten-
der.

10 ¶ No person shalbe compelled by vertue of this act to take the othe aboue mencioned, at the seconde time of offering the same accordinge to the forme appoynted by this statute, except hee hath bene, is, or shalbe an ecclesiastical person, that had, hath, or shall haue in the time of one of the raignes of the Quēenes Father, Brother, or Sister, or in the time of the raigne of the Quēene her heires or successours, charge, cure, or office in the Church, or such person as had, hath, or hereafter shall haue any office or ministerie, in any Ecclesiasticall Court of this realme, vnder any Archbishop or Bishop, in any y^e times or raignes aforesaide, or such as shall wilfully refuse to obserue the orders for diuine service, that bee authozised to bee vled and obserued in the Church of England, after y^e he shalbe publicly by the Ordinarie, or some of his officers for ecclesiastical, causes admonished to keepe and obserue the same, or such as shall openly, and aduisedly deptraue by wordes, writings, or any other open fact, any of the rites & ceremonies at any time vled, and authozised to be vled in the Church of Englande, or that shall say, or heare y^e priuate Masse, prohibited by the lawes of this Realme. And al such persons shalbe

shalbe compellable to take the othe vppon the seconde tender of the same, and incurre the penalties for not taking of the sayd othe, and none other. An. 5. El. 1.

11 ¶ The othe expresse in the said act made 1. Eliz. shalbe taken & expounded in such forme, as is set forth in an admonition annexed to the Quēnes Injunctions, published An. 1. of her raygne, by to confesse & acknowledge in her, her heires and successors, none other auctoritie then that, which was challenged and lately used by king H. 8. & king Ed. 6. 5. El. 1.

The exposition of the othe.

12 ¶ If any person or persons do maliciously, aduisedly, and directly, compass, or imagine to depriue our Soueraygne Ladye Quēne Elizabeth, or the heires of her body to be begotten, beeing kinges or Quēnes of this Realme, from the stile, honoꝝ, & kinglye name of the imperiall Crowne of this Realme, or from any other Realmes and dominions vnto her appertayning and belonging, or to destroy the Quēne that now is, or any the heires of her body, being kinges or Quēnes of this Realme, or to leue warre within this Realme, or within any the Marches or dominions to the same belonging, against the Quēne, or any the heires of her body beeing kinges or Quēnes &c. or to depose the Quēne, or any the heires &c. from the imperiall Crowne of the Realmes or dominions aforesaid, & the said compasses or imaginations, or any of them, maliciously, aduisedly, and directly shal or do utter, by open preachinge, expresse wordes, or saynges. Or if any person or persons shall maliciously, aduisedly, and directly, say, publish, declare, maintayne or hold opinion, that the Quēne that now is, duringe her lyfe is not, or ought not to be Quēne of this Realme, or after her death, that the heires of her body beeing kinges or Quēnes of this Realme of right ought not to be kinges or Quēnes of this Realme, or that any other person or persons other then the Quēne during her lyfe ought to be Kinge or Quēne of this Realme or any other the Realmes, or dominions aforesayd, or after her death, other then the heires of her body bring kinges or Quēnes of this realme, as long as any of her said heires of her body begotten shalbe in lyfe, of right ought to haue & enjoy the imperial Crowne of this Realme or any the Realmes or dominions aforesayd: Then euery such offendour being thereof duely conuicted, or attainted &c. their abbetours, pꝛocuroꝝ, and counsaillours, and all and enery their comforters knowing the said offences, or any of them to be done, and beeing thereof duely conuicted or attainted, shal for. to the Quēne &c. at his and their goods and cattels, and the whele profits of his & their landes, tenements, and hereditamentes, for terme of his or their liues, and also shal suffer duringe his or their liues, perpetuall imprisonment,

Compassing to depriue the Q. destroy her or to leue warre.

Maintaining that the Q. ought not to enjoy the crowne but some other.

S. 17. a greater punishment &c.

¶ And

And

Queene, Crowne, &c.

*Ecclesiastical
person offending*

*The second
offence*

*Affirming y^e the
Queene ought
not to enjoy the
crowne.*

*The punishment
of the Coun-
saillors.*

And every ecclesiastical person, being convicted, or attainted, of any of the offences aforesaid, shall for his offence immediately be judged, and remaine to all intents deprived of all his spiritual benefices, and promotions. And every patron, founder, and giver may present an other presently to the same, as if the incumbent were deceased. But no person shall be in any wise impeached, for any of the offences abovesaid committed only by open preaching or wordes, unless he offendor be therof indicted, within vi. monethes next after the same preaching or wordes. 1. Cl. 6.

13 ¶ And if any person beinge convicted or attainted of any the said offences in forme aforesaid committed, shall after his conviction, or attaindour offtones committe any of the said offences in forme aforesaid, then every such seconde offence shall be adjudged high treason, and the offendours therein, their abettours, procurours, & counsaillours, and al & every their aidours & comforters, knowing any of the said offences to be done, being thereof convicted, or attainted, according to the lawes & statutes of this realme, shall be adjudged high traitors &c. 1. Cl. 6.

14 ¶ If any person or persons, by any writinge, printing, overt deed, or act maliciouslye, advisedly, and directly affirme that y^e M. maiestie that now is, ought not to have and enjoy the stile, honor, & kingly name of this realme, or that any person or personnes, other then the M. that now is, ought to have or enjoy the same, or that the Quene that now is during her life, is not, or ought not to be M. of this realme, or after her death the heires of her body beinge kinges or Quenes of this realme, of right ought not to have and enjoy the imperial crowne of this realme, or that any person or persons, other then the M. that now is, during her life, & after her death, other then the heires of her body begotton, beinge kinges or Quenes of this realme, as long as any of her said heires of her body shall be in life, of right ought to have, and enjoy the imperial crowne of this realme: Then every such offence shall be adjudged high treason, & the offendour or offendours therein, their abettours, procurours, & counsaillors, & al & every their aidours and comforters knowing the said offences, or any of them to be done, being thereof lawfully convicted, or attainted, by the lawes of this realme, shall be adjudged high traitors &c. & shall suffer death & forfe. to y^e M. al their landes &c. as in cases of high treason. Saving to al persons, other the to the offendour, their heires, & such as claime to their vse, all such rights, titles, leases, réts, reuerfions &c. which any of them shall have at the day of committing such treason, or any time before &c. 1. Cl. 6.

15 ¶ The counsaillors, procurours, comforters & abettours, mentioned in this act, for his or their first offence shall suffer like punishment,

ment, penaltie, and fo: capture, as is contained in this act againſt þe principal offenders for their firſt offence, and none other. And the counſailors &c. for their ſecond offence ſhal ſuſtaine like puniſhment &c. as is obtained in this act againſt the principal offenders, for their ſecond offence, and none other. 1. Cl. 6.

16 ¶ No perſon ſhalbe indicted, or arraigned for any offence made treason or miſpicion of treason, by this act, unleſſe the ſame offence be p:oued by the testimony & othe of ſ. lawfull & ſufficient witneſſes at the time of his indictment, which witneſſes alſo at the time of his arraignment, (if they be the living) ſhalbe brought forth in perſon befo:e þe party ſo arraigned, ſate to face, & there ſhal auow and openly declare al they can ſay againſt him, unleſſe he ſhall willingly, without violence confeſſe þe ſame. 1. Cl. 6.

No man ſhalbe indicted or arraigned without ſufficient witneſſe.

17 ¶ If any perſon or perſons whatſoeuer, during the naturall life of our ſoueraigne Lady Queene Cl. ſhal within the realme, or without, compas, imagin, inuent, deuile, or intend the death or deſtruction, or any bodily harme, tending to death, deſtruction, maine, or wounding of þe roial perſon of the ſame our ſoueraigne Lady, or to deprive or depole her, of or from the ſtile, honour, or kingly name of þe imperſall crowne of this realme, or of any other realme or dominion to her maieſtie belonging, or to leuy warre againſt her within this realme, or without, or to moue any ſouldiers or ſtraungers to force to invade this realme, or þe realme of Ireland, or any other her dominions being vnder her obeiſſance, & ſuch compaſſes, imaginattons, inventions, deuiles, or intentionz, or any of them, ſhal maliciously, aduiledly, & expreſſely declare by any printing, writing, ciph:ing, ſpeach, wordes, or ſayings. And if any perſon or perſons, ſhal maliciously, aduiledly, & directly publiſh, declare, hold opinion, affirme, or ſay, by any ſpeach, expreſſe wordes, or ſayings, þe our ſaid ſoueraigne Lady Q. Cl. during her life, is not, or ought not to be Q. of this realme of England, & alſo of þe realmes of France & Ireland, or þe any other perſon or perſons ought of right to be king or Q. of þe ſaide realmes of England & Ireland, or of any other her dominions, being vnder her obeiſſance, during her life, or ſhal by writing, printing, preaching, ſpeech, expreſſe wordes, or ſayings, maliciously, aduiledly, & directly publiſh, ſet forth, & affirme, þe our ſoueraigne Lady Q. Cl. is an heretike, ſchiſmatike, tirant, infidel, or an vſurper of the Crowne of the ſaid realmes, or any of them: Then enery ſuch ſayd offence ſhalbe deemed and taken high treason, and alſo well the principall offender, or offenders therein, as al & euery the abettors, counſellors, & procurors, to the ſame offence, and al & euery aidors, and comforters of the ſame offence or offences, knowing the ſame offence to be committed in any place within this realme or without, being thereof lawfully

Imagining deſtruction to the Queenes perſon

Affirming that the Queene ought not to enjoy the crowne but ſome other.

Affirming that the Q. is an heretike, tirant, vſurper &c.

Queene, Crowne, &c.

fully & duly indicted, convicted, and attainted, according to y^e shal-
lowe of the comon lawes, or according to the act made. 35. H. 8. 2.
(concerning trial of treasons, committed out of the M. dominions) shall
be iudged &c. Traitors to the Quene and the realme, & shall suffer
death, and also soz fait vnto the Quene &c. as in cases of high trea-
son. Anno. 13. Eliz. 1.

S. Treason. 10.
Claiming right
to the crowne
or blurring the
same.

18 ¶ All and every person and persons, of what degree, condi-
tion, place, nation, or estate soever they be, which shall at any time
in the life of our soueraigne Ladye Quene Elizabeth in anye wyse
claime, pretend, utter, declare, affirme, or publish themselves or any
of them, or anye other then our Soueraigne Ladye Elizabeth the
Quenes Heiressie that now is, to have right or title to have or en-
joy the Crowne of England, during, or in the lyfe of our sayd So-
ueraigne Ladie, or shal blurpe y^e same crowne, or the roial stile, ty-
tle, or dignitie of the Crowne or Realme of England, during or in
the lyfe of our said soueraigne Ladye, or shal hold & affirme, that our
said soueraigne Ladye hath not right to hold & enjoy the said crowne
and realme, stile, title, or dignitie, or shal not after any demaund, on
our said soueraigne Ladies part to be made, effectually acknowlege
our said soueraigne Ladye to be in right, true and lawfull M. of thys
Realme, They and every of the so offending shalbe utterly disabled
during their natural lives only, to have or enjoy the Crowne or re-
alme of England, or the stile, title, or dignitie thereof, at any time in
succession, inheritance, or otherwise after the decease of our said soue-
raigne Ladye, as if such persō were naturally dead, any law or mat-
ter &c. notwithstanding. 13. El. 1.

Asserting the
right in succe-
ssion of the
crowne in soe
other then the
Queene.

19 ¶ If any person shall during the Quenes lyfe, in any wise
hold, affirme, or mainteine any right, title, interest, or possibilitie in
succession or inheritance, in, or to the Crowne of England, after our
said soueraigne Ladye y^e Quene, to be rightfully in, or lawfully due
or belonging vnto any such claime, pretend, blurpe, utterer, de-
clarer, affirmer, publisher, or not acknowledged, so that our said so-
ueraygne Ladye the Quene, shall by proclamation to be published
thzough the realme, or else in y^e more part of those shires of thys re-
alme, as wel on y^e Southside, as y^e North side of Wret, & also in the
dominion of Wales, in which shires no warre or rebellion the shal
be, set forth, notifie, & declare such claiming, pretence, blurring, decla-
ration, affirming, publishing, blurring, or not acknowledging, then
every persō which after such proclamation shall during the Quenes
life, maintaine, hold, or affirme any right in succession, inheritance,
or possibilitie, in, or to the Crowne or realme of England, or y^e right
thereof to be in, or to any such claimer, preteder, utterer, declarer, af-
firmer, blurper, publisher, or not acknowleger, shalbe a high traitor,
& suffer

and suffer & forsaite as in cases of high treason is accustomed. 13. Cl. 1.

20 ¶ If any person shall in any wise holde, & affirme, or maintaine that the common lawes of this Realme, not altered by Parliament ought not to direct the ryght of the Crowne of Englande, or that our Soueraigne Lady Quene Elizabeth with, and by the auctoritie of the Parliament of Englande, is not able to make lawes, and statutes of sufficient force, to limit and binde the crowne of this Realme, and the descent, limitation, inheritance & government thereof, or that this statute, or any part thereof, or any other statut to be made by the auctoritie of the parliament of Englande with the Quenes Royall assent for the limitting of the Crowne, or any statut for recognising the right of the sayd Crowne and realme, to bee lawfully in the person of the Quene, is not, are not, or that not, or ought not to be for ever of sufficient force to bind, limit, restraine, and governe al persons, their rights and titles, that in any wise may or might claime any interest or possibility in or to the Crowne of England, in possession, remainder, inheritance, succession, or otherwise howsoever, & all other persons whatsoever: every such person so holding, affirming, or maintayninge, during the lyfe of the Quene, shalbe indged a hygh traitor, and suffer and forsaite as in cases of high treason are accustomed, & every person so holding, affirming, or maintayning, after the decease of our said soueraigne Lady shall forsaite al his goods and cattels. 13. Cl. 1.

Maintaining that the lawes do not limit or bind the right of the Crowne.

21 ¶ Whosoever shall duringe the life of our sayed Soueraigne Lady, by any booke or worke printed, or written, directly & expressely declare, and affirme at any time before the same be by act of parliament established, that any one particuler person, whosoever it be, is or ought to be the right heire, and successour to the Quenes Maestie that now is, except the same be natural issue of her bodye, or shall wilfully set up in open place, publish, or spread any bookes or scroules to that effect, or shall print, binde, or put to sale, or utter, or cause to be printed, bounde or put to sale, or uttered any such booke or writing wittingly, he or they, their abbettozs, & counsellors, & every of them shal for the first offence, suffer imprisonment one whole yere, & forsaite his goods to the Q. & J. to be rec. by A. J. &c. wherein no C. D. &c. & if any shall estones offend therein, then every of them, their abbettozs & counsellors shal incurre the paines, & forsaitures, which in the statutes of Provisioun or Premunire, are appointed and limited, Saving to every person, other then the offendours, and their heires &c. al their right title &c. 13. Cl. 1.

Declaring by bookes who ought to be the Quenes heire or successor.

22 ¶ No person shalbe arraigned for any the offences mentioned in this act, to be committed within any the Quenes dominions, unlesse the offendour be thereof indicted within fixe monethes

within what time the offendour shalbe indicted.

Queene, Crowne &c.

next after the same offence committed. And no person shalbe arraigned for any the offences mencioned in this act, to be committed out of any the Quenes dominions, vnlesse y^e offendor be thereof indicted within one yere next after the offence committed. 13. Cl. 1.

None shalbe arraigned vpon any of those offences, except the same be proued by ii. witnesses

23 ¶ No person shalbe arraigned for any the offences mencioned in this act, vnlesse the same offence be proued by the testimonie & othe of two sufficient witnesses, which shall at the tyme of the arraignment of such person be brought forth in person before y^e party so arraigned, face to face, and there shal auow, & openly declare, all they can say, against the party arraigned, vnlesse hee shall willingly without violence, confesse the same. 13. Cl. 1.

The punishment of the aidors & comforters.

24 ¶ The aidors and comforters of such of the offendors aforesaid, as shall maliciously &c. affirme that the Q. is an heretique, schismaticke, tyrant, infidel, or blurper &c. shal for his sayd first offence of aiding & comforting the sayd last recited offendor, knowing y^e same offence to be committed, incurre onely the daunger & penalty of Premunire, mencioned in the Statut of Premunire, made 16. R. 2. And such aydors, and comforters of the offendors aforesayd last recited, knowing the same offences to be committed, which after their first conviction and attayndor thereof shal estones offend, shall for their second offence be adiudged high traytors. 13. Cl. 1.

Charitable reliefe of the offendors.

25 ¶ But the geauinge of charitable almes in money, meate, drinke, apparel or bedding for y^e sustentation of the body or health of any person, that shal commit any the offences made treason, or Premunire, by this act, during the time that the same offendor shalbe in prison, shal not be taken to be any offence. 13. Cl. 1.

The Crowne of England entayled.

26 ¶ By the statute made. 35. H. 8. 1. the Crowne of England was entayled after the death of king Hen. 8. and king Ed. 6. dying without heires of their bodies, to the Lady Mary one of the daughters of the said king H. 8. and to the heires of her body lawfully begotten. And for default of such issue, to our soueraigne Lady Quene Elizabeth, by the name of the Lady Elizabeth the said king Henry 8. seconde daughter, and to the heires of her body lawfully begotten, and for lacke of lawfull heires of the said Lady Mary, and Lady Elizabeth, to such person or persones, in remaynder or reversion, as it shoulde please the said king Henry the eight according to such estatute, and after such maner, and forme, order, fashion, & condition, as shoulde be expressed, declared, named, and limited in the said king Henry the eight his letters patents, or by his last will in writing signed with his hand. And by the statute made 1. Cl. 3. the estate, right, title, and succession in the imperall Crowne of England is recognised, knowledged, and confessed to be in, & to our Soueraigne Lady Quene Elizabeth, and the heires of her body to be begotten.

begotten. And there it is further ordeined that y^e said recognitiō, declaration, & confession, as also the limitation & declaration of y^e succession of the imperial Crowne mēcioned & contained in y^e foresayd act of 35. H. 8. should stand, remaine, and be the lawe of this realme for ever, & by the said statute of 1. El. 3. all sentences, iudgements, & decrees made, set forth, and published, & every bzanche, article, or matter cōtainēd & cypressed in any act of parliament, repugnant or contrary to the said recognitiō, or any part thereof, or to the said limitation of the succession of the crowne, established by y^e stat of 35. H. 8. were made frustrate and void.

1 What prærogatiues, & preheminences the lawes & statutes do geue to the Q. S. Prærogatiue.

2 For all bandes to be made to the Q. and how she shalbe answered al her debts, duties, & accōpts. S. Accomptants to the Q.

3 That the commissioners of Sewers decree, shal binde the Q. lands. S. Sewers. 8.

4 For the force of a fine leuied by tenant in taile, of lands whereof the reuerſion is in the Q. S. Fines. 17.

5 For the force of a recovery of lands intailed, whereof the reuerſion or remainder is in the queene. S. Recoueries. 2.

6 That though the plaintife be nōsuit, or a verdict passe against him in any action, bil, or plaint sued to the Q. y^ese, the def. shall not recouer costs. S. Dāmages. 8.

7 That kings children borne beyond the Sea, are inheritable in England. S. Abilitie. 1.

8 The punishment of such as vtter seditious vvordes, rumors, bookes &c. against the Q. S. Nevves. 3. 4. 5. &c.

¶ Quod permittat.

Even as the person of any Church may recouer common of pasture by writ of Pouel disseisin, so shall his successor recouer against the disseisor or his heire by a writ of Quod permittat. And as there is a writ graūtable to enquire whether a tenement bee the free almes of such a Church, or the lay fee of such a man, so the lyke writte may be alwarded to enquire whether it bee the free almes of such a Church, or of an other Church, in case where the free almes of one Church is transferred into the possession of an other Church. *Iuris verum.*
III. 2. 13. ED. 1. 24.

¶ Rape.

If any man do rauish a married wyfe, a mayde, or other woman where she doth not assēt before, nor after, it is felony. And in like sort if a man do rauish a married wife, maide, or other woman with force, though she do consent after, it is felony. III. 2. 13. ED. 1. 34.

II. lxxx.

2 ¶

Rape. Receipt.

Abusing a wo-
man childe un-
der ten yeres of
age.

The forf. where
the woman ra-
uished doth con-
sent.

2 ¶ If any person shall unlawfully, and carnally knowe, and abuse any woman childe, vnder the age of ten yeres, it is felony, & the offendor therof being duly convicted, shall suffer as a felon, without allowance of clergy. 18. El. 6.

3 ¶ If any noble mens daughters, Ladies, or other women be rauished, & after the same rape committed, do consent to the rauishors, as wel the rauishors as they that be rauished, & euery of the, shall be disabled, & be disabled Ipso facto, to haue or challenge al maner of inheritance, dower, or ioynt seoffement, after the death of their husbands & auncestors. And immediatly in this case the next of the blood of those rauishors, & of those which bee rauished (to whom the inheritance, dower, or ioynt seoffement ought to descend, reuert, remaine, or come after the death of the rauishor, or her that is rauished) haue title uncontintently after the rape, to enter vpon the rauishor, or her which is rauished, their assignes, & land tenantes in that inheritance, dower, or ioynt seoffement, & the same to hold by estate of inheritance. And the husbands of such weome (if they haue husbands) or if they haue no husbands liuing, then their fathers or other their next kinsmen in blood, shall haue the suit to prosecute, & may pursue against the same offendors & rauishors, in this behalfe, and to convict them of felony, though the same woman after the Rape do consent to the rauishors. And in this case the defendant shall not wage batel, but the truth of the matter shall be tryed by the countrey. Saving alwaies to the King & other lordes of the realme, at their Escheats of such rauishors if they be convicted. 6. R. 2. 6.

I Hovve the defendant in appeale of Rape, shall be vsed. S. Coroner. 7.

Receipt.

Where the wife
shall be receiued
vpon the hus-
bands default.

¶ If in an action brought against the husband & the wife, of landes which be the right of the wife, the husband will absent hym selfe, & wil not defend his wifes right, or wil against his wifes counsel, yeld the land, if the wife wil come before iudgement, & be ready to answer to the demandant, and to defend her right, she shall be thereunto admitted. 20. 2. 13. Ed. 1. 3.

Where he in the
reuerſion shall be
receiued.

2 ¶ If any man do purchase a wyrt against tenant in dower, tenant by curtesie of England, or any other tenant for terme of lyfe or tenant in taile, of lands where the reuerſion is in an other, and he do make default, or wil yelde the land, the heires, or they that haue the reuerſion shall be admitted to answer if they come before iudgement. And if by default or yelding, iudgement shall be given, then the heires, or they which haue the reuerſion shall recover after the death of such tenants by a writ of Centre, Ad communem legem. West. 2. 13. Ed. 1. 3. But if any man being not party to the suit, will

The receipt of
one not partie
to the suit.

will come before judgement in the foresaid case, & desire y^e he may be admitted, he shall find such sufficient suertie before his admittioⁿ as y^e court shall thinke meete, to satisfy y^e demaundant y^e value of y^e issues of the lāⁿ so to be recovered, fro^m y^e day y^e he is receiued to make aⁿswere, vntil the day that final iudgement shall be geuen vpon the demaundants petition. And if the demaundant do recover the thing in demaund, the defendāt shall be graciously amerced, if he haue wherof, & if hee haue not wherzof, hee shall be committed to the gaole, and there remaine during the M. pleasure. And if he can proue his ryght to be such as he affirmed it at y^e time of his receipt, he shall go quite.

20. Ed. 1. Defensioe Iuris

3 ¶ If any tenant for terme of life, tenant in dower, tenant by the curtesy, or tenāt in taile after possibilitie of issue extinct, bee impleaded, & he in y^e reuerſion doth cōe into y^e court & praieth to be receiued to defend his right, at the day that the tenant doth plead to y^e actiō, or before, he shall be receiued to plead in chiefe to the actiō, wout taking delay by voucher, aide, p^rier, nonage, or other delaye whatsoeuer, so y^e after such receipt, he shall haue no delay by Protection, Essoine of y^e M. service, or cōmon essoine, but y^e suit shall be hastened as much as it may by y^e law. And daies of grace shall be geuen by discrecion of the Judges, betwixt y^e demaundant & him which is so receiued, & not the cōmon daies geuen in places of land, (except the demaundant wil therunto assent) to the intent the demaundant shall not be too much delaied which must pleade to two aduersaries. And he in y^e reuerſiō which praieth to be receiued, shall find suerties for y^e issues of y^e land aswell where y^e receipt is cōnterpleaded, as where it is granted, vt supra. &c. 13. R. 2. 16.

Receipt of him
in the reuerſiō.

Daies of grace.

¶ Recordes.

The Quenes Iustices before whom anye misprisson, or default shall be found in any reco^rdes, or proces, which depend before the by way of Errōr, Adournement or otherwise, or in returnes, made by sherifes, cozoners, bailifes of franchise, or any other by misprisson of the clerkes of any of the sayd courtēs, or of the Sherifes, vnder sherifes, cozoners, or any other officers or clerkes, in writtinge of one letter or one sillable too much or too little, haue power to amend such default after their discretion, and by examynation where they shall thinke good, as well after Judgement, as before Judgement, and as well after iudgement geuen vpon a verdict passed, as vpon a matter in law pleaded, & y^e same proces shall not be avoided or discontinued therfore, But these statuts extēd not to reco^rdes & proces in Wales or where proces of outlawry lieth. 14. E. 3. 6. 9. H. 5. 5. 4. H. 6. 3. 8. H. 6. 15.

Iustices may
amend reco^rdes

Recordes.

*Records rased
or interlined.*

2 ¶ For Error assigned in any recorde, proces, warrant of attorney, original writte, or iudiciall panhell, or returne, in any place of them rased or interlined, or in any addition, subtraction, or diminution of wordes, letters, titles, or parcel of writs, found in any such recordes, proces, &c. where such rasure, enterlining, addition &c. by the discretion of the Judges of the Quenes courtes and places, where in the said recorde and proces by writte of Error or other wise bee certified, do appeare suspicious, no iudgemēt or recorde shalbe reuerſed. And the Quenes Iustices of the courtes and places, in which any recorde, proces, suit, plea, warrant of attorney, writte, pannel, or returne, for the time being shalbe: haue powler to examine them, by them selues, and their Clerkes, and to amende (in affirmance of the iudgement of such recordes and proces) al that which in their discretion seemeth to bee misprision of the Clerkes, in such recordes, proces &c. except appeals, Indictments of treason and felony, and the outlawries thereupon, the proper names, surnames, and additions, admitted in original writtes and writtes of Origent, accordinge to the statute of 1. H. 5. 5. and in other writtes containing proclamatiō) so that by such misprision of the Clerke, no iudgement shalbe reuerſed nor adnulled, And if any recorde, proces &c. be certified defective, other wise then accordinge to that which remayneth in the treasure, courtes, or places from whence they bee certified, the parties in affirmance of the iudgemēt, shal haue aduantage to alledge variance betwene the writting & the certificat, & being found & certified, the variance shalbe reformed by the said Iustices, accordinge to the first writting. 8. H. 6. 12.

1 That imbecilling of a record &c. is felony. S. Felony. 18.

2 That no Cerciorare shalbe graunted to remoue a recorde, except it be signed with a Iustices hande of the same court. S. Remouer &c. 1.

¶ Recoueries, and falsifying of recoueries.

*The recoueroys
may dischain
the tenants of
land recovered.*

¶ If any of the Quenes subiectes do suffer any recoueries agaynst them by the course of the common lawe, of any manners, Lozdeships, lāds, or teneuents, for the perfozmāce of their willes, or for the suertis of their wiues Jointers, for the iointure of their sonnes and heires apparāt and their wiues, or for any other person or persons, according to their couenants and agrements, the recoueroys in al such recoueries, their heires and all assignes, may distrayne the fermers, frēholders, & tenants, which holde of the same maners, by rents, seruices, and customes, for the saide rentes, seruices, and customes, being due and unpaid, and make auowry, or iustifie the same as those persons agaynst whom the saide recouerie is, shoulde haue done,

done, if the sayd recouerie had not bene had, and also haue like remedie for the recoueringe of the said rent, seruices, & custōe, by auowry. And also shal haue Quare impedit for an aduowson appendaunt to any of the sayed manours, yf the same aduowson fall boyde, and any disturbance bee made, as those persons against whom the sayd recoueries were had, might or shoulde haue had by the course of the common lawe befoze the sayd recouerie, if any such rents, seruices, or customes had bene denied them, or any such disturbance had bene had in their times. 7. H. 8. 4.

Quare impedit

2 ¶ No sayned recouery had by assent of parties against any tenant in taile, of any lands, tenemēts, or hereditamēts, wherof the reuerſion or remainder at the time of such recouerie had, shalbe in the Quene, shal binde or conclud the heires in taile, whether any cōmō voucher be had in any such sayned recouery or not. But after the death of every such tenant in taile against whom any such recouery shalbe had, the heires in taile may enter, haue & enioy the lands, tenemēts, and hereditamēts so recovered, according to the forme of the gift in taile, the said recouery or any other thinge to be had, done, or suffered, by or against any such tenant in taile to the contrary not withstanding, tricesimo quarto Henrici octavi 20. S. the statute and the preamble, and Quere whether it is entended of all landes wherof the reuerſion or remainder is by any title in the Quene, or onely of those landes which king Henry the eight, or any of his progenitozs did geue to any person in taile.

Recouerie of lands entailed, wherof the reuerſion is in the Quene

3 ¶ The heires of every such tenāt in taile, against whō any such sayned recouery shalbe had, shal take no aduātage for any recompence in value against the voucher, nor his heires. 34. H. 8. 20.

The heire in taile shal haue no recompence in value.

4 ¶ But this act shall not be preiudiciall to the lessee of any such tenant in taile made by writing indented, of any lands, tenements, or hereditamēts, for terme of xij. yerres, threē lynes, or vnder, wherupon the accustomed rent or moze, is or shalbee reserved yerely duringe the sayd terme, but the same lessee shall and may enioy his terme therein against the heires of every such tenant in taile, according to the tenure and effect of the statute made. 32. H. 8. 34. H. 8. 20. S. Leases 1. 2.

Leases by tenant in taile, of lands wherof the reuerſion is in the Quene.

5 ¶ Al recoueries had or prosecuted by agrēment of the parties, or by couin, against any tenāts by the curtesie of England, tenants in taile after possibility of issue extinct, or otherwile onely for terme of life, or lines, or of estates determinable bypon life or liues, of any lands, tenements, or hereditaments, wherof the same particuler tenāt is, or shalbe seised of any such particuler estate as is aforesaid, or against any other, with voucher ouer of any such particuler tenant, or of any hauiḡ, or y had right or title to any such particuler estate or tenancy,

Recoueries against particuler tenants.

Recoueries, and falsifying of Recoueries.

tenancy, shall as against such person or persons to whom any reversion or remainder thereof by force of any conveyance or devise before the time had or made, shall, ought, or lawfully may appertaine, & against their heires & successors be utterly void. 14. El. 8.

Recoueries by
good titles

6 ¶ But this act shall not extend to any person or persons who shall by good title recover any lands, tenements or hereditaments, without fraude or couin, by reason of any former right or title, but all such recoveries shall stand & be in like force as they were before the making of this act. 14. El. 8.

Recovery by
the assent of him
in the reversion
or remainder.

7 ¶ Al & every such recovery had of any lands, tenements, or hereditaments, by the assent & agreement of any person or persons, to whom any reversion or remainder thereof, then shall or ought to appertain, (so that the same assent do appeare of Record in any of the M. courts) &c. shall stand in like strength, & of like effect, against such person who shall so assent, his heires & successors, as they were before the making of this act. 14. El. 8.

Tenant for years
may falsifie a
recovery had a-
gainst him in
the reversion.

8 ¶ If any persons do make leases of their lands, tenements, or other hereditaments by indentures, or without writings, to other persons for terme of years, if after the said leases, their heires or assigns do cause, or suffer recoveries to be had against the in the M. or any other Lords court, upon falsified, & untrue title, by craft, & couin, to put the said termors from their termes: All such termors shall & may falsifie for his terme onely such recovery, in such wise & forme, as a tenant of a freehold shall & may do by the course of the common law, where such tenant of freehold was neither partie, nor partie to the same recovery. And the same termors, their executors & assigns, notwithstanding such recovery, shall enjoy their said termes, according to their said leases, against all such recoveries their heires and assigns. And the said recoveries their heires and assigns, after such recovery so had, shall have like remedy against the said termors, their executors and assigns by assize, or action of debt, for the rentes and services reserved upon the same leases being due after the same recoveries: And also like actions against them for waste done after the said recoveries so had, in like manner & forme, as the said lessores might have had, if the same recoveries had never bene had. 21. H. 8. 15. Gloucester. 6. C. 1. 11.

No Statute or re-
cordance shall
be avoided by a
new feyned re-
covery.

9 ¶ No Statute of the Staple, Statute Marchant, nor execution by Elegit, shall be avoided by means of any such feyned recovery, but all persons having any lands, tenements, or other hereditaments in execution, or being intituled to have execution of any lands, or tenements by any such means, shall have like remedie to avoid and falsifie the said recovery, as before is provided for the lessee for terme of years. 21. H. 8. 15.

1 What fines for alienation vpon writs of entrie, sued vpon comon recoveries shalbe paid, S. Willes. 8.

2 Where a woman shal forf. her estate for sufferinge a feigned recoverie against her, of lands which she holdeth in dower for life, in taile &c. S. Women. 1. 2. 3. 4.

3 For recoveries and deedes inrolled in corporate Townes. S. Women. 6.

4 That such things wherupon recoveries are to be suffred may be inrolled, S. Fines. 19.

¶ Redisseisin.

¶ If any man be disseised of his fræhold, and doth recover his seysin before the Justices in Eyre, by Añse of novel disseisin, or by confession of him which did the disseisin, and hath seysin deliuered vnto him by the Sherife, if the same disseisors after the departure of the Justices, or in the meane time, do disseise the same playntife of the same fræhold, and thereof be conuict, they shalbe taken and kept in the Quænes prison. The sãe remedy thal they haue which do recover their seisin by Añse of Mortdauncester. And þ sãe remedy is of al lands & tenements recovered in the R. Court by Iuries, if they be after disseised by the first deforceors agaynst whõ in any maner they haue recovered by iuries Merton. 20. H. 3. 3. And they shal haue remedy by writ of redisseisin which haue recovered by default, reditio, or in any other maner, wout recognition of Añses, or Iuries, M. 2. 13. Ed. 1. 26. Tenat by Elegit shal haue a writ of Redisseisin, M. 2. 13. Ed. 1. 18. and so shal tenant by Statute Marchant. 13. C. 1. De Mercatoribus.

who shall
maintaine a
writ of redisseisin.

2 ¶ When the playntife commeth into the Court, hee shall haue the Quænes writ directed to the Sherife, wherein shalbe contained his declaration of disseisin done vpon disseisin. And þ Sherife shalbe cõsãued þ he (taking wth him þ Coroners, & other lawfol knights) shal go in his owne person to þ tenemēt or pasture wherof þ plaint is made, and that he shal make before them diligent inquiry by the first Iuroys and other neighbours and lawfol men of that vicenage therof, and if they finde him disseised againe, thē they shal do accord as is aforesaid. And if it be otherwise found, the playntife shalbe amerced, and the other shal goe quite, but the Sherife shal not create anye such playnt wpythoute the Quænes commaundement, Merton. 20. H. 3. 3.

The cause & effect of the writ of redisseisin.

3 ¶ In writs of Redisseisin double damages shalbe awarded, & they which be taken for redisseisin be not repleuisable by a common writ, nor shalbe deliuered without the Quænes special cõmaundement, & that vpon a fine to be made to the Quæne for the offence, and

The punishment for redisseisin.

Reliefe Rentes.

and if the Sheriffe do delinquit them in any other sort, he shall be
nonny amerced, & they for their offence greatly punished. Mar. 12.
H. 3. 8. m. 1. 13. Ch. 1. 26.

I That writs of Redisseisin shall be inrolled and sent yerely vn-
to the Eschequer. S. Admeasurement. 2.

¶ Reliefe.

The reliefe of
an Earle, Ba-
ron, & knight
heire.

I If any Earle, Baron, or other of the Quenes tenants, which
holdeth of her grace in Capite by Knights service do die, and his
heire of full age, and dweth vnto the Quene reliefe, hee shall haue
his inheritance for the auncient reliefe, that is to say, the heire of
heires of an Earle for a whole Earldome, C. li. The heire of
heires of a Baron, for a whole Baronie, C. markes. The heire of
heires of a Knight, of a whole knights fee, C. s. at the most, and he
that hath lesse shall giue lesse, according to the auncient custome of
fees. Mag. Char. 9. H. 3. 2.

I That an heire vvhich hath bene in warde, shall haue his inhe-
ritance vwithout paying reliefe. S. VVardes. 3.

2 That the heire of full age at the death of his auncelster, shal on-
ly pay reliefe to his Lord. S. VVardes. 9.

¶ Rentes.

A remedy for
the executors
for rents due to
their testator.

The executors and administrators of every tenant in fee sim-
ple, tenant in fee taile, and tenant for terme of life, of rent ser-
vice, rent charge, and fee fermes, vnto whom anye such rent or fee
ferme is or shalbe due, and not payed at the time of his death, shall
and may haue an A. of debt for all such arrearages agaynst the te-
nant or tenants that ought to haue payed the same rent &c. in the
life of their testator, or agaynst the executors and administrators of
the said tenants. And also furthermore it shalbe lawfull to euerie
such executor and administrator &c. to distraine for the arrearages of
all such rents, and fee fermes, vpon the landes &c. which were char-
ged with the payment of such rentes, and fee fermes, and chargea-
ble to the distresse of the sayd testator, so long as the sayd landes &c.
continue in the seisin or possession of the said tenant in demesne who
ought immediatly to haue payd the said rent, or fee ferme, or in his se-
isin or possession of any other claiming the sayd landes &c. onely by &
from the same tenant by purchase, gift, or descent, in like manner &
fourme as their said testator mought or ought to haue done in his
lyfe time, and the sayd executors and administrators shall for the
distresse lawfully make auowry vpon their matter also. But
this act shal not extend to any such manner, lordshipp, or dominion
in Wales, or in the marches of the same, wherof the inhabitantes
haue

Redemption
money in Wales.

have bled tyne of mynde of a man to paye vnto every Lorde, and owner thereof, at his first entrie into the same, any summe of money for the redemptyon, and discharge of all ducties, for sayntures, and penalties, wherewith the sayd inhabitantes were chargeable to any of their said Lordes, aunccesters, or predecessors, before their said entrie. Anno 32. H. 8. 37.

2 ¶ If any man having in the right of his wife any estate in fee simple, for taile, or for terme of life, or, or in any rents, or fee fermes, & the same be due & payed in the said wifes lyfe, the y^e said husband after the death of his said wife, his executors & administrators, shall have an A. of debt for y^e said arrearages, against y^e tenant of the sayde demesne y^e ought to have paid the same, his executors, or administrators. And also the said husband after the death of his said wife, may distraine for the said arrearages in like maner as he might have done, if his said wife had ben then living, & make anowrye vpon his matter, as is aforesaid. 32. H. 8. 37.

The husbands remedy for rent due in the life of his wife.

3 ¶ If any person which shall have any rentes, or fee fermes for terme of life, or lines, of any other person or persons, and the said rent or fee ferme shall be due and payed in the lyfe of such person, or persons, for whose life or lives the estate of the same did depend or continue, and after the said person or persons do die, then hee vnto whom the said rent or fee ferme was due, his executors, and administrators, shall and may have an action of debt against the tenant in demesne that ought to have paid y^e same when it was first due, his executors & administrators. And also distrayne for the same arrearages vpon such landes and tenements out of the which the sayd rentes or fee fermes were issuing, in such lyke maner, as he ought or myght have done, if such person or persons (by whose death the aforesayd estate in the said rentes and fee fermes was determined) had bene in full life and not dead, and the anowrye for the takinge of the same distresse shall be made in maner and fourme aforesaid: 32. H. 8. 37.

The remedy for a fee the estate wherof dependeth vpon anothers life being deade.

1 That Assise of rent issuinge forth of tenementes in severall Counties, shalbe holden in the borders of the same Countie. S. Assise. 7.

22 Hovve meane Lordes shalbe aunsvvered their chiefe rentes due to them duringe the minoritie of the Queenes vvarde. S. Vwardes. 7.

¶ Remoying of persons, or Recordes.

N^o writtes of Habeas corpus, or Cerciaroni, shalbe graunted to remove any prisoner out of any gaole, or to remove any recognizance, except the same writtes be signed with y^e proper hands of the chiefe

A writ to remove prisoners or recognizances.

Repleuin.

chefe Justice, or in his absence of one of þe Justices of þe Court, one of the which þe same writs shalbe awarded, vnder paine þe that writteth any such writs, not being signed as is aforesaid to forf. to þe D. for every such writ b.li. 1. & 2. D. & M. 13.

Remouing of
prisoners out
of ch: kinges
bench into the
countie to be
tried.

2 ¶ The Justices of the kings bench (for þe time being) haue authorite by their discretions, to remaunde & send downe alwel þe bodie of al felons and murderers remoued or bzought before the D. in her bench, as their indictments, into þe countie wheras the same murders or felonies haue bene committed, & to commaunde al Justices of Gaole deliuary, Justices of peace, & al other Justices & commissioners, & euerie of them, to proceed & determine vpon all the foresayd bodie & indictments so remoued after the course of þe common law, in such maner, as the same Justices of Gaole deliuary, Justices of peace, and other commissioners or any of them mought or shoulde haue done, if þe said prisoners or indictmētēs had neuer bene bzought into the said kings Bench. An. 6. H. 8. 6.

1 Where the bodie of one in executiō being remoued by Corpus cū causa, shalbe remaunded, S. Corpus &c. 1.

2 For the remouinge of a repleg. out of the Countie by Recordare, S. Repleuin 2.

¶ Repleuin.

Who shal re-
pleue a distress

¶ If any mans cattel be taken, & wrongfully withhelden, the Sherife after complaint to him made, may deliuer the without any let or contradiction of him that took the cattel, if they were taken out of liberties, and if the cattell were taken within any liberties, and the bailifes of þe liberties wil not deliuer the, then þe Sherife for default of those bailifes shal cause them to be deliuered. Marleb. 52. H. 3. 21.

Recordare.

2 ¶ If any Lordes do distraine their tenants for any services or customes being due vnto them, and the tenants do repleue the distresse by writ, or without writ, and the Lordes (at the complaint of the tenants) do by attachement come to the countie, or other Court hauing power to hold plea De vetito namio, & doe auow the distresse reasonable and iust, if the tenants doe disauowe to holde, or do claime to hold nothing of him which took the distres, if such Lordes in the Countie or other Courts cannot obtaine Justice of their tenants but shalbe amerced, & their tenants discharged, for þe they cannot be punished for the same disauowing by record of þe county, or other Courts, hauig no record: as soone as they shalbe attached at their tenants suit, a writ shalbe graunted vnto the to remoue þe suit before þe Justices, before whō (& not else where) Justice shalbe ministred to such Lordes, & the cause shalbe declared in the writ (because such a man hath distrained in his fee for seruice & customes due vnto him)

pet

yet this statute is no derogation to the law commonly used, which doth not suffer any plea to be removed at the suit of the defendaunt. For though at the first shew the tenant seemeth to be plaintife, & the lord defendat, yet having respect to y^e the lord doth distraine & sue for his services and customes behinde, he shall rather appeare plaintife then defendant. West. 2. 13. Ed. 1. 2.

3 ¶ Least that after the tenant hath repleued his beastes, hee should sell them, or dyne them farre of, whereby the Lo^rde which distraineth cannot have returne if it be adiudged for him, the Sherife or his bailifes shal not take of the plaintifes, pledges onely to prosecute their suit befoze they made deliuerace of their beasts, but also to returne them, if returne be awarded. And if any do take pledges in other sort, he shal aunswere the p^rice of his cattell, & the lo^rde which distraineth shal have his recovery by writ, that he shall deliuer hym so many beasts or cattell, & if the bailife have not wherewith to satisfie, his lord shal pay it. West. 2. 13. Ed. 1. 2.

Wedges to
prosecute the
suit, & to make
returne.

4 ¶ If the Lo^rds of courts, or other court holders or Stewards willing to trouble those which be in subiection vnto them, havinge no lawfull cause or meanes to greue them, will procure others to commence suits against them, & to giue gages, offer pledges, or purchase writs, & at the suits of such plaintifes wil cause them to resort vnto the countie, hundred, wapentake, & other courts vntil they haue paid them a fine, according to their owne request, which is not lawfull to be done: Wherefoze in this case if any man be attached by any such false complaints, he shal repleue his distres so taken, & remove the suit befoze the Iustices, befoze whom if the Sherife or any other bailife or lord (after the party so distrained hath framed his complaint) wil auow the distresse iust by reason of any such complaints befoze them made. And if it be replied, that the same complaints were maliciously moued against them at the instance or procurement of the Sherife or other bailifes or lords, the replication shalbe admitted, & if they be thereupon conuicted, they shal pay a greuous amercement to the Quene, & aunswere to the partie greued treble damages. West. 2. 13. Ed. 1. 37.

A distres taken
vpon a suit com-
menced by the
procurement of
others.

1 How many deputies euery Sherife shall ordaine to make Repleuies, & vwhere. S. Sherifes 22.

2 Where the Sherife shall direct his precept to the bailife of a libertie, & vwhere he himselfe shal repleue a distres. S. Sherifes 30.

¶ Restitution.

I ¶ If any Felon or Felons do robbe or take away any money, goods or cattells, from any of y^e Quenes subiects, from their person, or otherwise within this Realme, and thereof be indicted, and after arraigned

Restitution of
all goods, af-
ter y^e arraignment
of the felon.

Returne of Sherifes.

arraigned of the same Felony, & found guilty thereof, or otherwile attainted by reason of evidence given by the party so robbed, or owner of the said money, goods, or cattels, or by any other by their procurement, then the partie so robbed or owner shalbe restozed to hys sayd money, goods, & cattels. And aswel the Justices of gaole delinerie, as other Justices befoze whom any such Felon shalbe founde guiltie, or otherwile attainted by any of the meanesafoze said, haue power to a ward from time to time, wryts of restitution for the said money, goodes, & cattells, in like maner, as though any such Felon were attainted at y^e suit of the partis in appel. 21. H. 8. 11.

¶ Returne of Sherifes.

The manner
how wryts shal
be deliuered to
be executed.

They which do feare the indirect dealing of Sherifes, may deliuer their original & iudicial wryts in the open countie, or in some other place of the shire, where collection of the Quènes money is made, & may take a byl of the Sherife or vndersherife being present, in which shalbe cōtained the names of the demandants & tenants named in the wryt, & vpon his request which deliuereth the wryt, the Sherife or vndersherifes seale shalbe put to the byl for a witness (with out any thing taking therfoze. 2. Ed. 3. 5.) And mencion shalbe made of the day of the deliuerance of the wryt. And if the Sherife or vndersherife wil not put his seale to the same byl, witness shalbe taken of knightes & other crediblle persons which be present, the which shall put their seales to the same bill, and if the Sherife will not retorne wryts deliuered vnto him, and thereupon complaint be made to the Justices, a iudicial wryt shalbe directed to the Justices of Assise, that they shal enquire by those that were present when the wryt was deliuered vnto the Sherife, if they know of the deliuerance, which inquisition shalbee returned. And if it be found thereby, that the wryt was deliuered vnto him, damages shalbe awarded to the plaintyfe or demandant, hauing respect to the quantity and quality of the action, & to the peril which might haue chaunced vnto him by y^e delay which he suffered. (And also the Justices of Assise haue power to inquire thereof at euery mans complaint, and to awarde dammages vt supra &c. 2. Ed. 3. 5.) And by this meane remedie shalbe had when the Sherife doth retorne that the wryt came to late, wherby he could not execute y^e Quènes cōmaundement, West. 2. 13. Ed. 1. 39. S. Sherifes 10. That euery Sherife shal make a deputie in the Chancery, kings Bench, Common place, & Eschequer, to receiue al wryts and Warrants to be deliuered vnto them.

Deputies to
receiue wryts.

Returning of a
libertie where
none is.

2 ¶ If the Sherife doe retorne, that hee hath commaunded the Bailiffes of some libertie, which did nothing therein (where in deed there is no such libertie withyn that countie, which ever had retorne of

of writs, (then the Sherife shalbe punyshed as a disinheritor of the Quene & her crowne. West. 2. 13. Ed. 1. 39.

3 ¶ If the Sherife doth retorne, that he hath directed his precept to the bailifs of some libertie (which in deede haue retorne of writs) which did nothing therein, then the Sherife shalbe commaunded, that he shal not omit for any liberty aforesaid, but shal execute y^e Quenes commaundement, & that he shal warne the bailifes to whom he returned the writ, that they shal appeare at a day cōtained in y^e writ, to aunswere why they did not execute the Quenes precept. And if they do appeare at the day, & doe acquite themselves, that the writ was not returned vnto them, the Sherife shalbe forthwith cōdemned to the Lord of the same libertie, and likewise to the party grieved by the delay, to restore him damages. But if the bailifes do not appeare, or do appeare, and do not acquite the selues in forme aforesaid, in euery iudicial writ so long as that suit dependeth, the Sherife shalbe commaunded, that he spare for no libertie &c. Westm. 2. 13. Ed. 1. 39.

Precept directed to the bailifs of a libertie.

Non omittas propter aliquam libertatem.

4 ¶ If the Sherife do retorne no issues, or small issues, where he may retorne greater, if the plaintife will desire to heare the Sherifes retorne, he shal, and if he will offer to proue that the Sherriffe mought haue returned greater issues to the Quene, hee shall haue a iudicial writ to the Iustices of Assise, that they shall enquire in the presence of the Sherife, (if he wil be present) of what, & holwe great issues the Sherife might haue made his retorne, from the day of the writ purchased, vnto the day contained in the writ (videlicet of y^e retorne thereof,) and when the inquisition is returned, if hee hath not fully answered before, he shalbe charged with the ouerplus, by y^e extracts of the Iustices deliuered into the Eschequer, and neuertheles shalbe greuously amerced. And the Sherife ought to know that ret, Cozne in grange, and all moueables. besides horse, apparel, & householde stuffe, are contained vnder the name of issues, Westminster. 2. 13. Ed. 1. 39.

Returning of issues.

What be issues.

5 ¶ The Sherife ought not to retorne that he could not execute the Quenes precept, by resistance of the power of any Noble mā, for that retorne tendeth to the dishonour of the Quene and her Crowne, for as sone as his vnder Baylifes doe testifie that they found such resistance, the Sherife forthwith (all busines set apart, taking with him the power of his countie) shal go in his owne person to do execution, and if he finde his vnderbailifs false, he shal imprison them (that other men may be warned by their punishment.) And if he finde the true, he shall imprison the resistors, from whych prison they shal not be deliuered, without the Quenes special commaundement, And if y^e Sherife at his cōming do finde such resistance, he

Resistance in executing the Quenes writs.

Returme of Sherifes,

he shal certifie the court of the names of the resistors, their aydoers, consentors, commaunders, and favourers, which shalbe attached by a iudicial writ, to appeare at the Quenes Court, and if they be convicted of such resistace, they shalbe punished at the Quenes pleasure. But no officer of the Quenes shal meddle in assigning of the foresaid punishment, for the Quene onely shal do it, for such resistors are disturbers of her peace & realme, West. 2. 13. Ed. 1. 39.

Indenture be-
tween the Sherif
and bailie of
franchise of
any returne.

6 ¶ There shalbe an Indenture made betwixt y^e bayliffe of the franchise, which hath full returme of writs by his proper name, and the Sherife his proper name, of every returne which y^e bailiffe of any such franchise shal make to the Sherife. And if the Sherife doe change the returne so delivered unto him by Indenture, & thereof be attained at the suit of y^e Lord of the same franchise, from whence he hath received the said returne (if the lord haue received any damage, or if his franchises be impaired) & at the suit of the partie which hath received losse by this meanes, he shalbe punished by y^e Quene for his false returne, & also shal yelde to the Lord, & the partie double damages. Stat. Eborum. 12. Ed. 1.

Sherifes & bail-
liffes shal put
their names to
returnes.

7 ¶ Sherifes and other Bayliffes which receive the Quenes writs, returnable into her court, shal put their owne names to the returnes, so that the court may knowe of whom they take such returnes, if neede bee, & if any Sherife or other Bayliffe doe leaue out his name in his returne, he shalbe greuously amerced to y^e Quenes wile. Stat. Eborum. 12. Ed. 1. 5.

Auerment a-
gainst the re-
turne of bailiffes

8 ¶ A man shall haue auerement against the false returnes of bailiffes of franchises which haue full returme of writs, & recover as wel against them, as against the Sherife, as wel of small issues returned, as in other cases, so that it be not preiudicial to the Lordes, nor to the impairing of their franchises, for the punishment shal fall onely vpon the bayliffes by the punishment of their bodies, if they haue not wherewith to aunswere. 1. Ed. 3. 6.

Excommunicato
capiendo,

9 ¶ If any Sherife, or other hauing authoritie to returne writs doth make an untrue returne vpon any Capias, in a writ of Excommunicato capiendo to him directed, y^e the party named in the writ hath not yelded his body vpon any Proclamation made, where in deede he hath yelded himselfe according to the effect thereof, he shall forf. to the partie grieved xl. li. to be rec. by action, bill, plaint, where in no W. C. B. &c. 5. Cl. 23.

Writs of pro-
clamation in
Wales, Lan-
caster, Chester.

10 ¶ If the Sherife of any shire in Wales, in y^e countie palatine of Lancaster or Chester, or of the city of Chester, doth returne a writ of Proclamation after a writ of Origina awarded against any person, & doth not make returne thereof into y^e Court out of the which y^e said writ of proclamation shalbe awarded, he shall forf. v. li. to

to the D. & J. to be recovered by A. of debt, wherth no W. r. C. D.
 et. 1. Co. 6. 10. 5. Co. 6. 20. S. Exigent 8.

11 ¶ Upon any byll, information, or action exhibited or sued against any person being sufficient, vpon the statut provided. 8. C. 4. for geuning of Liveries or bagges, or vnlawful retaining, if y^e Sheriffe or Coroner do returne any lesse issues vpon the defendant then xx.s. at the first day of the distress, at y^e second day xxx.s. at the thirde day xl.s. & so at every day after x.s. more, he shall forf. for every returne made against y^e forme aforesaid xx.s. 8. Co. 4. 2. S. Sherifes.

Returne vpon
 information,
 for geuning of
 Liveries

12 ¶ The chiefe officer or officers of every of y^e Quenes courts of revenue, being of Record, or y^e shalbe of record, shal have authoritie to set & assesse reasonable fines & amerciaments vpon any Sheriffe or Sherifes for not returning or misreturning of any writt to them directed & deliuered out of any of y^e same Courts, concerning y^e leuying or answering of any of the said issues, rents, or revenues, or of any det due to the D. in such sort & after such maner & forme, as now is, or heretofore hath bene lawfully vled in y^e like, & such other cases in the Quenes Court of the Eschequer. 7. Co. 6. 1.

Amerciament
 of Sherifes for
 insufficient re-
 turnes.

1 What Iurors, & of vwhat sufficiencie, the Sherife in seuerall cases shal returne, & vpon vwhat payne. S. Iurors. 12. 13. 14. 16. 19. 20.

Riots, Routs, vnlawfull assemblies,

¶ If any Riot, Assemble, or Rout of people, against the lawe bee made in any part of the Realme, the Justices of peace, iij. or ii. of them at the least, & the Sheriffe or vnder Sheriffe of y^e shire where such riot, assemble, or rout shalbe made, shal come with the power of the county (if neede be) to arrest them, & shal arrest them. And the same Justices, Sherifes or vnder Sheriffe, haue power to recorde y^e which they shal find done in their presence against the law. & the same offenders shalbe convict by the record of the same Justices, Sheriffe, or vnder Sheriffe, in maner & forme as is contained in the statut of Forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Forcible entre 2.

The Justices &
 Sherifes shal ar-
 rest those which
 commit Riots.

2 ¶ If it happen that such offenders be departed before the coming of y^e said Justices & Sheriffe, or vnder Sheriffe, y^e same Justices 3. or 2. of the, shal diligently enquire wⁱⁿ a moneth after such Riot, assemble, or rout of people so made, & the same shal heare & determine, according to the law of this Realme. 13. H. 4. 7.

Enquire of
 Riot.

3 ¶ If the trueth cannot be found in maner aforesaid, then wⁱⁿ a moneth next after, the same Justices iij. or two of them, & the said Sheriffe or vnder Sheriffe, shal certifie the Quene & her Counsell of the whole fact, & the circumstances therof, which certificat shalbe of the same force that a presentment by xii. men is, vpon which Certificat the said offender shalbe put to answer, & they which shalbe found

Certifying of
 the report to the
 Quene & her
 Counsell.

pp. iij.

guiltie,

guiltie, shalbe punished by the discretion of the Quene & her Coun-
sell. And if the same offendours do trauele the matter so certified, &
same certificat & trauele shalbe lent unto y^e Kings bench, there to be
tried & determined according to the order of y^e law. 13. D. 4. 7.

proceed against
the offenders.

4 ¶ If the same trespassors and offenders do not come before y^e Quene & her Councel, or into the kings Bench at the first precept, the an other precept shalbe directed to the sherife of the shire to take them if they may be found, & to bring them at a certaine day before the Quene & her Councel, or into the kings bench. And if they cannot be found, the sherife or under sherife shal make proclamation in his shal Countie next ensowing y^e deliverte of the lapd second W^{re}cept, that they shal appeare before the Quene & her counel, or in y^e kings bench, (or in the Chauncerie in the tyme of vacation) within thre weekes then next following. And if the offenders do not appeare, & the W^{re}clamation be made & returned, they shalbe attainted & convicted of the Riot, assemble, & rout also, c. 13. B. 4. 7.

The loss of the
Justice which
do not execute
this Statute.

¶ The Justices of peace which dwell nearest in every Countie where such riot of people shalbe, together with the sheriffe, or under sheriffe of the same countie. And also the Justices of assise, for the time & they shalbe in their Sessions, (in case any such riot, assieble or rout be made in their presence) shal do execution of this statut, every one vpon paine of an **℥. l.** to be paid to **h. R.** as ofte as they shal be found in default of execution of **h. R.** same statut. **13. H. 4. 7.**

Commissioners
to enquire of
the Justices &
their defaut

6 ¶ If default be found in the said two Justices of peace, or Justices of assize, & the Sherife or Under Sherife of the countie where such riot, assēbly, or rout shalbe made, touching the execution & they ought to make by vertue of the said Statut: Then at the instance of y^e party grieved the Quēenes Comission that go out vnder the great seale, to enquire as wel of y^e truth of y^e case, & of y^e original matter, for y^e party complaynat as of y^e default or defaults of the said Justices, Sherife or Under Sherife in this behalf supposed, to be directed to sufficient & indifferent persons, at the nomination & by the aduise of the Chawncelloz of England. And the said Commissioners incontinent shall sende in to the Chawncerie the enquestes, & matters before them in this behalf taken & found. 2. H. 5. 8.

Upon the com:
mission, the co:
roner shall re:
turn the Jury.

7 ¶ The Coroners of the same counties in which such Riot, As
semble, or Rout shalbe made, shall make the panell bypon the sayd
Commission, returnable, for the time that the Sheriffe so supposed in
default shal remaine in his office, which Coroners shall returne no
persons, but onely such which have lands, tenements, or rents, to y^e
value of x. li. by the pere at the least. And also y^e same Coroners shal
returne bypon every of the said persons empannelled at the first day
when theye be to be lost xx. s. at the least, at the seconde day xl. s. at
the

the least, & at the thirde daye C. s. at the least, and at euery day after the double at the least, which issues so returned because of non appearance of such persons impanelled, shalbe forf. to y^e D. And if default be found in the said Coroners touching the retorne of such persons to be impanelled, or touching the retorne of suche issues, as aforesaid is said, euery of them shal pay to the Quene. 2. H. 5. 8.

8 ¶ And if the said Sheriffe so reputed in default, be discharged of his office at the time that such commission shal go out of the chancery, then the new therif of the same countie, his successor, mediate or immediat, & not the Coroners, shal make the panel vpon this commission, returnable in manner & forme, as the said Coroners shoulde do in time when the theriffe so reputed in default stode in his office. And y^e same new theriffe shal incurre like paine of r. li. to the D. yf any default in him be found, touching y^e retorne of other persons by him impanelled, which haue not lands, or rents, to the value of r. li. by pere, or of returning such issues as y^e said coroners be aboue charged to retorne, as y^e said Coroners be to lose to the Quene. 2. H. 5. 8.

Where the Sheriffe is not the Coroners shall retorne a Jury.

9 ¶ The Chancelour of Englands, as sone as he may haue knowlege of such riot, assemble, or rout, shal cause to bee sent the Quenes writt to the Justices of peace, & to the Sherif, or vnder the rise of the countie where they be so made, that they shal put the foresaid Statut of 13. H. 4. in execution, vpon the payne contained in the same. And though that such writt come not to the said Justices, Sheriffe, or vnder Sheriffe, they shal not be excused of the paine aforesaid, if they make not execution of the said Statute. 2. H. 5. 8.

A writt directed to enquire of riots.

10 ¶ The Justices & other officers aforesaid, shal do their offices aforesaid, at y^e D. costs, in going, tarrying, & returning, in doing their said offices, by paymēt thereof to be made by the Sheriffe of y^e same countie for y^e time being, by Indentures betwixt him & y^e same Justices, & other officers aforesaid, to be made of the paymēt aforesaid, wherof the said Sheriffe vpon his accompt in the Exchequer, shal haue due allowance. 2. H. 5. 8.

Riots shalbe repelled & enquired of at the Quenes costs.

11 ¶ Such Riotozs attainted of great & haynous riots, shal haue one whole yeares imprisonment at the least, without being let out of prison by baile, mainprise, or in any other maner during the yere aforesaid, & the riotozs attainted of petit riots, shal haue imprisonment as the Quene & her Counsell shal thinke good. 2. H. 5. 8.

The punishment of riots.

12 ¶ The Quenes liege people being able to travel in y^e countie where such riots, assemblies, or routs be, shalbe assistant to the Justices, commissioners, Sheriffe, or vnder Sheriffe of the same countie, when they shalbee reasonably warned, to ride wth the said Justices, there to resist such riots, routs, & assemblies, vpon paine of imprisonment, & to make fine & ransome to y^e Quene. 2. H. 5. 8.

Each man shall help to repelle riots.

Riots, Routs, vnlawfull assemblies.

**Bailifes of
franchises.**

**Riots in cities
& townes cor-
porate.**

**A Jury to en-
quire of riots.**

13 ¶ The Bailifes of franchises that empanel sufficient people as before, vpon paine to lose to the Quene .xl. li. in case that such sufficient persons may be found within the said franchises. And by the ordinances and paines shall holde place & take effect in Cities, Boroughs, and other places & townes enfranchised, which haue Justices of peace within them. 2. H. 5. 8.

14 ¶ If any ryot, rout, or vnlawful assemble be committed within this realme, the Sherife hauing a Precept directed to him, shall returne .xxviij. persons dwelling within the shire, where such Ryot &c. shal be so committed, wheresoever of them that haue landes & tenements within the same shire, to the yerely value of .xx. s. of charter land, or freehold, or .xxviij. s. viij. d. of copy holde, or of both, aboue al charges, so to enquire of the said riot &c. And he shal returne vpon euery person so by him impaneled in issues at the first day .xx. s. at the secod .xl. s. (if that they appeare not and be swozne to enquire of the premises at the first day.) And if default be found in the Sherife or vnder Sherife for returning of other persons not being of the sayd sufficiency, or for not returning issues in forme aforesaid, then the said Sherife shal forfeit to the Quene for either .xx. li. 19. H. 7. 13.

**Maintenance
whereby a riot
is not found
by the Jury.**

15 ¶ If the said ryot, rout, or vnlawful assemble be not founde by the said Jury, by reason of any maintenance or embracery of the said Jurors, then the same Justices, & the Sherife, or vnder Sherife, (besides such certificat that they be bound to make according to the foresaid statute of 13. H. 4.) shal in the same certificat certify the names of the maintainers and embracers in that behalfe (if any be) wyth their misdoemeanors that they know, vpon paine of euery of the said Justices and vnder Sherifes, to forfeit .xx. li. if they haue no reasonable excuse, for not certifying of the same, which certificat so made shal be of like force and effect in the law, as if the matter contained in the same were duely found by the verdict of .xiiij. men, & euery person duely proued to be a maintainer or embracer of the same, shal forfeit to the Quene .xx. li. & shalbe committed to warde, there to remaine by the discretion of the Justices. 19. H. 7. 13.

**The punishment
of the mainte-
ners and em-
bracers.**

**It. or aboue af-
flicted to charge
any lawes.**

16 ¶ If any persons to the number of .xiiij. or aboue, being assembled together, shall intend, goe about, practise, or put in bze to force of armes, vnlawfully, and of their owne auctoritie, to change any lawes made or established for religion by auctoritie of parliament which stand in force, or any other lawes or estatutes of this realme, the same number being commaunded or required by the Sherife of the shire, or by any Justice of peace of the same shire, or by the Mayor, Sherife, Justices of peace, or Bayliffes of anye Citie, Borough, or towne corporate, where any such assemblies shalbe vnlawfully had or made, by proclamation in the Quenes name, to retire & repaire to
their

their owne houses & habitations, or places frō whence they came: And they or any of the which notwithstanding such proclamation, shall continue together by the space of one whole hower after such commaundement or request made by proclamation, or after that shall willingly in forcible and riotous maner attempt to do, or put in v're any the things aboue specified, then aswell every such abode or continuing together, as every such acte or offence, that after such commaundement or request by proclamation shalbe attempted to be done, by any persons being of the number aforesayd, shalbe iudged felony in all and singular those persons that so shall continue together, or that attempt or comit any such act. And the offendours therein shalbe adidged felons, and shal suffer only execution of death, as in case of felony. 1. P. 12. 1. Cl. 17.

17. ¶ If any persons to the said number of xij. or aboue, shal intend, go about, practise, or put in v're, in maner & forme aforesayd, to ouerthrow, cut, breake, cast downe, or dig by the pales, hedges, ditches, or other inclosure of any parke or other ground inclosed, or the bankes of any fish pond, or poole, or any Condit for water, Condit heads, or Condit pipes having course of water, to the intent that any of the same from thenceforth should remaine open not inclosed, or bold, or unlawfully to haue comon or way in the said parke or other ground inclosed, or in anye of them, or to destroy the Deere in any parke, or any warren of conies, or any Dove houses, or anye fish in any fish ponde, or poole, or to pull or cut downe anye houses, barnes, milles, or bates, or to burne any stacks of cozne, or to abate or diminish the rents, or yerely value of any lands or tenements, or the price of any victual cozne or graine, or any other thing vsual for the sustenance of men, and being required or commaunded by anye Justice of peace, or by the Sherife of the Countie, or by the Mayor, bailife or bailifes, or other head officers of any Citie, or towne corporate, where such assemble shalbe had, by proclamation to be made in the Kings name, to returne in peaceable maner, to their places and houses frō whence they came, & they or any of them, (notwithstanding such proclamation) that remaine and make their continuance together by the space of one whole hower after such commaundement or request made by proclamation, or after that shall in forcible manner do or put in v're, any of the things last befoze mencioned: Then aswell every such continuing together, as every such act that after such commaundement or request by proclamation made, shall be done, practised, or put in v're, by any persons being aboue & number of xij. shalbe adidged felony, and the offendours therein shalbe adidged felons, and shal suffer onely the execution of death, as in case of felony. 1. P. 12. 1. Cl. 17.

Practising to
destroy parkes,
poules, condits

Comon of way

Distreying of
deere, conies,
dove houses,
fish.
Downing downe
house, burn-
ing stacks of
cozne, abating
or renting.

Riottes &c.

Raising of bn.
lawful assem.
blyes by some
act or wordes.

18. ¶ If any person or persons, unlawfully, & without authoritie by ringing of any Belles, sounding of any trumpet, drum, horne, or other instrument, or by firing of any Beacon, or by malicious speaking or bitering of any wordes, or making any outcry, or by lettig bp, or casting of any bill or writing, or by any other act, shall raise, or cause to be raised or assembled any persons to the number of xj, or above, to the intent y they should do or put in bye any of y things above mencioned, & that the persons to the number of xj, or above so raised and assembled, after request or comendement had or given, in for me aforesaid, shall continue together, as is aforesaid, or unlawfully and in forcible maner commit or put in bye any of y things abovesaid: Then al and singuler persons by whole speaking, acte, or any other the meanes above specified, any persons to the number of xj, or above, shalbe raised or assembled for the doinge, or puttinge in bye any of the things above mencioned, shalbe adjudged for hys so speaking or doing, a felon, & shall suffer execution of death, as in case of Felony. 1. P. 12. 1. Cl. 17.

Relieving the
which be assem-
bled.

19. ¶ If any wife or servant of any of the same persons, or any other person whatsoever, shal willingly & without compulsion, bring send, deliver, or couey any money, harnesse, artillary, weapon, meat, bycar, orinke, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as he or they shall so be together: Then every wife, servant, or other person so bringing or coueying &c. any of the foresaid thinges to the same persons so assembled, or to any of them, & not departing to their dwelling places upon request, or comendement made vnto the as is aforesaid, shalbe adjudged a felon. 1. P. 12. 1. Cl. 17.

Unlawful as-
semblies above
ii. & under, xii.

20. ¶ If any persons above the number of ii. and under y number of xii. being assembled together, shall intend, practise, or put in bye, with force of armes, unlawfully, and of their owne authoritie to murder or slay any of y M. subiects, or to overthrowe, cut, breake, or cast downe, or dig bp y pales, hedges, ditches, wall, or other closure of any parke or other ground inclosed, or the banke of any fish pond, or poole, to the intent that the same, or any of them from thence forth should remaine open not inclosed, or hold, or to haue comon or way in any of y same parkes or grounds inclosed, or to destroy any parke or fish pond, or poole, or any warré of connies, or any Done houses, or to pull, or cut down any house, barne, mill, or to burne any stacks of corne, or to alser, defalke, or abate the rents, or yerely value of any lands of any the M. subiects, or the price of any victuall, corne, or graine, or any other thing vsual for the sustenance or apparell of men, & being required or commaunded by any Justice of peace, or the sherife of the countie, or by any Maiors, ballises, bailife, or other head

head officer of any Citie, or towne corporate, where such assemblee shalbe had, by Proclamation to be made in the N. name, to returne to their habitations, and they so required shal not so doe; but after y^e shal in forcible manner in forme aforesaid, attempt to do, or put in vze any of y^e things last above mentioned: The every of y^e same persons being about ii. & under xii. shal suffer imprisonment by y^e space of one yere without baile or mainprise. And also if any pers^{on} shalbe damaged or hurt by y^e committing of any unlawful thing above mencioned, the he shal recover & have damages w^{ith} y^e costs of his suit sustayned in y^e behalfe trebled againt y^e offendours therein. 1. R. 12. 11. Cl. 17.

21. ¶ If any pers^{ons} above the number of ii. shalbee unlawfully, and of their owne authoritie assembled together, to the intent with force and armes, to do, practise, or put in vze any of the things above mencioned, the it shalbe lawful to every Justice of peace, & to every Sheriffe in any Countie being within the N. dominions, and to every Mayor, bailife, and other head officer of any Citie or towne corporate, for the time he shalbe in office, or any other person or pers^{ons} having the N. Commission or letters from her highnes, as well to raise and assemble y^e N. loving subiects in manner of warre to be arrayed, in such great number, as he or they then shal thinke meete or able, to the intent by violence & strength to suppress and take y^e sayd persons that so shalbe unlawfully assembled, and if the said persons so unlawfully assembled, after such commaundement or request by Proclamation made, shal continue together, & not endeavour themselves to returne towards their houses or places from whence they came, in such short time as they may conveniently. When it shalbe lawful to every Justice of peace, Sheriffe, and also every Mayor, Bailife, and other head Officer of any Citie, or towne corporate, and to every other person havinge authoritie as is aforesayde, after such commaundement or request by Proclamation made, or to such persons as shalbee assembled with any Justice of peace, or Sheriffe, or with any Mayor, Bailife, or other head Officer of any Citie or towne corporate, and with every other person havinge authority, as is aforesaid, to suppress and take those persons so assembled, which after such Proclamation made, shal contynue together and not endeavour themselves to returne towards their habitations &c. And if the sayd persons so unlawfully assembled, or any of them shall fortune to be killed, maimed, or hurt, in or about the suppressing or takinge of them, then every Justice, Sheriffe, Mayor &c. and every other person havinge authoritie as is aforesayde, and al and singular persons by him or them assembled shalbee discharged and unpunishable, as wel against the Quene, as against every other person, concerninge the killinge, maiminge, and hurtinge of any person

The partie grei-
ued shal recover
treble damages

Rayding of po-
wer to suppress
unlawful as-
semblies.

Riottes &c.

Coptholder
being required
refuseth to
serue the D.

person so unlawfully assembled, & shalbe killed &c. 1. M. 12. 1. Cl. 17.

22 ¶ Every Coptholder, or customary holder being yeoman, artificer, husbandman, or laborer, & being of the age of xviii. yeres or moze, and vnder the age of lx. yeres, not sicke, impotent, lame, maimed, ne having any other iust or reasonable excuse, or cause to the contrary, and being required by the Sherife, Justice of peace, or other having auctoritie by this act, or by commission or letters &c. they declaring their said auctoritie, or being required by the immediat Lord or Lords, of whom such copie or customarie holdes then shalbee holden, to serue the D. for any the causes above reherfed, & refuse so to do, shall (only during the life of such person so refusing) forfeit to his Lord or Lords of whom such copie or customarie holdes then shalbe immediately holden, and should be holden during the life of such person, in case he had not so refused, al his copie & customarie holdes. And it shalbe lawful to every such Lord &c. his heires or assignes, of whom such copie or customarie holdes shalbe immediately holden, & should have ben holden in case that such person had not so refused, to enter & take into his possession al such copie & customarie holdes so holden of him immediately, and to retaine the same during onely the life of every such offendour, in such maner as he should have had the rents or service of such copie and customary hold, in case such person had not refused. 1. M. 12. 1. Cl. 17.

A farmor required, refuseth to serue.

23 ¶ Every Farmor being a yeoman, husbandman, artificer, or laborer, & being of the age of xviii. yeres or moze, and vnder the age of lx. yeres, not sicke, impotent, lame, maimed, ne having any other reasonable excuse, & being required by the Sherife, Justice of peace, or other having auctoritie by this act, or by Commission, or letters &c. they declaring their said auctoritie, or being required by his Landlord or Landlords to whom the rents of such farmes shalbe then coming, to serue the D. for any the causes above reherfed, and refuse so to do, shal (during only the lyfe of such farmor so refusing) forfeit to such landlord, or landlords, as shoulde have had the rent of such farmor during the life of such person so refusing al his said farmes, And it shalbe lawful to every such landlord &c. his heires & assignes, to whom the rent of such farmes should have ben due during the life of such person (in case he had not refused), to enter & take into his hands al such farmes, & to retaine the same during only the life of every such offendour. But after the death, expiration, or determination of the interest or terme of yeres of every such copie holder, customarie holder, or farmor, as so shal offend & forfeit &c. the every such person as ought to have had the same after, or by the death, expiration, or determination of the interest, or terme of yeres of such coptholder, customarie holder, or farmor in case he had not so offended, ne forfeited, shal

shal & may haue the same copyholds, customary holds, & sermes of entre, action, admission or other wise, in like maner and conditio. 1. & by such meanes, as euery of them shoulde or ought to haue had, if no such faulture or offence had bene committed. 1. M. 12. 1. Cl. 17.

24 ¶ If any person shalbe spoken vnto, moued or stirred to make any commotion, insurrection, or vnlawfull assembly for any of the intents aboue mencioned, and to not within xxiiij. howers next after he shalbe spoken vnto, moued, or stirred (vnles he haue good reasonable cause of excuse) declare the same vnto one Iustice of the peace or Sherife of the said county, or to the Maior, Sherifes, Bailifes, or other head officers of any citie, or towne corporate, where such motion &c. shalbe had, he shal suffer imprisonment by the space of thre moneths without baile or mainprise, vnlesse he shalbe discharged by thre Iustices of peace (whereof one to be of the Quorum) of the shire where the offence shalbe committed. 1. M. 12. 1. Cl. 17.

Disclosing a commotion, wh. re: unto one is moued.

25 ¶ If any person being aboue the age of xviij. yeares, & vnder the age of xl. being able to serue, & not sicke, lame, or impotent, shalbe required by any Iustice of peace, or anye Sherife of any Countie where any such assembly shalbe, or by any Maior, Baylife, or other head officer of any Citie, Borough, or towne corporate, or by anye other by the commaundement of any such Iustice, Sherife, Maior &c. to go with him or them, to suppress the persons vnlawfully assembled in manner and forme aforesaid, the euery person which so being able and required doth willingly, and obstinately refuse so to do, shal suffer imprisonment for one yeare without baile or mainprise. 1. M. 12. 1. Cl. 17.

An able person required, refuseth to serue.

26 ¶ If the Q. shal by her letters patents make any Lieutenant in any Countie or Counties of this realme, for the suppression of any commotion, rebellion, or vnlawful assembly, then aswell as Iustices of peace, & the Sherife of euery such Countie, as all Maiors, Bailifes, and other head officers, and all inhabitants and subjects of any Countie, Citie, borough, or towne corporate, within euery such Countie, shal vpon the declaration of the said letters patentis and request made, be bound to geue attendance vpon the same Lieutenant, to suppress anye commotion, rebellion, or vnlawful assembly, vnlesse he so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yere. 1. M. 12. 1. Cl. 17.

Attendance by a Lieutenant.

27 ¶ The order and forme of the Proclamations that shalbe made by the auctoritie of this act, shalbe as hereafter followeth, or with the like order & words in effect, by the Iustices or other persons auctorised by this act to make the said proclamation, shal make, or cause to be made an Oyes, and after that, shal openly pronounce,

The forme of the proclamation.

or

Riottes &c.

person so unlawfully assembled, & shalbe killed &c. 1. M. 12. 1. Cl. 17.

Coptholde
being required
refuseth to
seue the Q.

22 ¶ Every Coptholder, or customary holder being yeoman, artificer, husbandman, or laborer, & being of the age of xviij. yeres or more, and vnder the age of lx. yeres, not sicke, impotent, lame, maimed, ne hauing any other iust or reasonable excuse, or cause to the contrary, and being required by the Sherrife, Justice of peace, or other hauing aucthoritie by this act, or by commission or letters &c. they declaring their said aucthoritie, or being required by h^e. immediat Lord or Lords, of whō such copie or customarie holdes then shalbee holden, to serue the Q. for any h^e causes aboue rehersed, & refuse so to do, shall (only during the life of such person so refusing) sozfast to his Lord or Lords of whō such copie or customarie holdes then shalbe immediately holden, and should be holden during the life of such persō, in case he had not so refused, al his copie & customarie holdes. And it shalbe lawful to every such Lord &c. his heires or assignes, of whom such copie or customarie holdes shalbe immediately holden, & should haue ben holden in case that such person had not so refused, to enter & take into his possession al such copie & customarie holdes so holden of him immediatly, and to retaine the same during onely the life of euery such offendor, in such maner as he should haue had the rents or seruice of such copie and customary hold, in case such person had not refused. 1. M. 12. 1. Cl. 17.

A farmor
required, refuseth
to seue.

23 ¶ Every Farmor being a yeoman, husbandman, artificer, or laborer, & being of the age of xviij. yeres or more, and vnder the age of lx. yeres, not sicke, impotent, lame, maimed, ne hauinge any other reasonable excuse, & being required by the Sherrife, Justice of peace, or other hauinge aucthority by this act, or by Commission, or letters &c. they declaring their said aucthority, or being required by his Landlord or Landlords to whom h^e rents of such farmes shalbe then cōming, to serue the Q. for any the causes aboue rehersed, and refuse so to do, shal (during only the lyfe of such farmor so refusing) sozfast to such landlord, or landlords, as shoulde haue had the rent of such farmor during h^e life of such persō so refusing al his said farmes, And it shalbe lawful to every such landlord &c. his heires & assignes, to whom h^e rent of such farmes should haue ben due during h^e life of such persō (in case he had not refused), to enter & take into his hāds al such farmes, & to retaine h^e same during only h^e life of every such offendor. But after the death, expiration, or determinatiō of h^e interest or terme of yeres of every such copie holder, customarie holder, or farmor, as so shal offend & sozfast &c. thē every such person as ought to haue had the same after, or by the death, expiration, or determination of the interest, or terme of yeres of such coptholder, customarie holder, or farmor in case he had not so offended, ne sozfasted,

shal & may haue the same copyholds, customary holds, & sermes by entre, action, admission or other wise, in like maner and conditio. 1. & by such meanes, as euery of them should or ought to haue had, if no such faulture or offence had bene committed. 1. P. 12. 1. Cl. 17.

24 ¶ If any person shalbe spoken vnto, moued or stirred to make any commotion, insurrection, or vnlawfull assembly for any of the intents aboue mencioned, and to not within xxiiij. howers next after he shalbe spoken vnto, moued, or stirred (vnles he haue good reasonable cause of excuse) declare the same vnto one Iustice of the peace or Sherife of the said county, or to the Maior, Sherifes, Bailifes, or other head officers of any citie, or towne corporate, where such motion &c. shalbe had, he shal suffer imprisonment by the space of thre moneths without baile or mainprise, vnlesse he shalbe discharged by thre Iustices of peace (whereof one to be of the Quorum) of the shire where the offence shalbe committed. 1. P. 12. 1. Cl. 17.

Disclosing a commotion, wh. re: unto one is moued.

25 ¶ If any person being aboue the age of xviij. yeares, & vnder the age of xl. being able to serue, & not sicke, lame, or impotent, shalbe required by any Iustice of peace, or anye Sherife of any Countie where any such assembly shalbe, or by any Maior, Bayliffe, or other head officer of any Citie, Borough, or towne corporate, or by anye other by the commaundement of any such Iustice, Sherife, Maior &c. to go with him or them, to suppress the persons vnlawfully assembled in maner and forme aforesaid, the euery person which so being able and required doth willingly, and obstinately refuse so to do, shal suffer imprisonment for one yeare without baile or mainprise. 1. P. 12. 1. Cl. 17.

An able person required, refuseth to serue.

26 ¶ If the Q. shal by her letters patents make any Lieutenant in any Countie or Counties of this realme, for the suppression of any commotion, rebellion, or vnlawful assembly, then aswell as Iustices of peace, & the Sherife of euery such Countie, as all Maiors, Bailifes, and other head officers, and all inhabitants and subiects of any Countie, Citie, borough, or towne corporate, within euery such Countie, shal vpon the declaration of the said letters patentees and request made, bee bound to geue attendance vpon the same Lieutenant, to suppress anye commotion, rebellion, or vnlawfull assembly, vnlesse he so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeare. 1. P. 12. 1. Cl. 17.

Attendance by a Lieutenant.

27 ¶ The order and forme of the Proclamations that shalbee made by the authoritie of this act, shalbe as hereafter followeth, or with the like order & words in effect, by the Iustices or other persons authorized by this act to make the said proclamation, shal make, or cause to be made an Oyes, and after that, shal openly pronounce.

The forme of the proclamation.

Riottes &c.

or cause to be pronounced these wordes, or like in effect. The D. our soueraigne Lady, chargerh and commaunderh all persons being assembled, immediatly to disperse themselves, & peaceably to departe to their habitations, or to their lawful busines, vpon y^e paine contained in the act lately made against vnlawful & rebellious assemblies, & God saue the Quene. 1. P. 12. 1. Cl. 17.

Hinderance of
the proclamation.

28 ¶ If any person shall molest, let, hinder, or hurt any person or persons that shal proclaim, or go to proclaim accoꝛdinge to the proclamation, and order aforesaid, wherby such proclamation shal not be made, then euery such person so molesting, or hurting &c. and hauing knowledge of his message, shal incur such daunger, and suffer such paines and forsaitures as the persons assembled, to whom the proclamation should haue ben made, should by this act incurre for not obeying the proclamation (if it had ben made) or for doing after the proclamation of any y^e things befoze expꝛessed. And also al such persons being assembled to the number aforesaid, to attempt, or do any the thinges aforesaid, to whom proclamation should or ought to haue ben made, if the same had not ben let, shall likewise in case they do after put in vze, and do any the thinges aforesaid, hauing any wayes knowledge of the let so made, or by any meanes procuring the same let, incur like daunger, and suffer like paines & forsaitures aforesaid, in euery their degrees, as though the proclamation had bene made, any clause in this acte &c. notwithstanding. 1. P. 12. 1. Cl. 17.

Other mens
rights saued.

29 ¶ All and euery the heires of all and euery the offenders in any the cases aforesaid, & all and euery person and persons, bodies politike, & corporat, their heires, successors, and executors, and euery of them (other then such persons only, as shalbe attainted, couicted, or outlawed, of any the foresaid offences of felony (shal haue, holde, & enioy, al such right, title, entrie, interest, leases, possessions, rents, conditions profits, and aduantages, as they or any of them shall, or of right ought to haue, in, or to any lands, rents, reuerſiōs, seruices or hereditamēts, whatsoeuer, or any part therof, in as large maner to al intents, as if such attainder had neuer bene had, any thinge in this act notwithstanding &c. Sauing to euery person body politike and corporate, & their successors, their liberties & franchises in such maner, as if this act had neuer ben made. 1. P. 12. 1. Cl. 17.

Procuring o-
thers to offend.

30 ¶ If any person do moue, stir, or procure any other, to commit any of the offences in this act specified, then hee shall suffer such punishment by imprisonment without baile or mainprise as is befoze expꝛessed in this act agaynst consailors of such offenders. 1. P. 12. 1. Cl. 17.

31 ¶ If any persons to the number of xii. or more, shal assemble together

together in forcible maner, vnlawfully, and of their owne authoritie, to the intent to execute, do, or put in vze any of the things aboue specified, or to do other felonious or rebellious act, or acts, & so shall continue to gether by the space of iii. howers, after Proclamation shalbe made, at or nigh the place where they shalbe so assembled, or in some market towne therunto next adioyninge, and after notice thereof to them geuen, then euery person so willingly assembled in forcible maner, & so continuinge together by the space of iii. howers after such Proclamation made, and notice thereof geuen, shalbe adjudged a felon. 1. P. 12. 1. Cl. 17.

Unlawfull assemble by xii. or aboue.

23 ¶ No liutenāt y shalbe made by authoritie or colour of this act, or for to execute this act, shal cōstitute vnder him, or in his place, any deputy, nor shal cal, or appoint to appeare befoze him by the only authoritie of Liutenancie, or of Cōmission of Liutenancie, any person, for any cause, or matter whatsoeuer, saue only for the causes and matters expressed in this act, & for none other. 1. P. 12. 1. Cl. 17.

Liutenāt shall not appoint a deputy.

33 ¶ No person shalbe put to any losse, forfeiture, paine, or punishment of life, land, or goods, as accessarie to any person or persons that shal commit any of the offences contained in this act, for receiving, comfortinge, or aiding of any such offender after such acte committed or done. 1. P. 12. 1. Cl. 17.

Ayding of the offender after the offence.

34 ¶ No attainder, or conviction of any person for any offence herein contained, shalbe any corruptiō of blood betwixt the offender and any of his aunccestors, or such person as should haue ben heire to such offender, if no such attainder or conviction had ben had. Hauing to euery person, body politike, and corporat &c. their liberties & franchises in such maner, as if this act had neuer ben made. 1. P. 1. Parliament. 12. 1. Cl. 17. to continue during the natural life of Quene Elizabeth, and to the end of the Parliament then next following.

The attainder for those offences not corruption of blood.

Roome &c.

If any person or persons dwellinge, or resident within any the M. dominions &c. or els where within or vnder her obedience &c. shall by writing, siphering, printing, preaching, or teaching, deede, or act, aduisedly, & wittingly, hold, or stand wth, to extol, set forth, maintaine, or defend the authoritie, iurisdiction, or power of y^e Bishop of roome, or of his see, heretofore claimed, v^sed, or vsurped within this realme or in any dominions beinge of, within, or vnder the M. obedience, or by any speech, open deede, or act, aduisedly, & wittingly attribute any such Jurisdiction, authoritie, or preheminence to the sayd See of Roome, or to any Bishoppe of the same within this Realme, or in any the Quenes dominions, then euery such person or persons, so doinge or offendinge, their abbetors, procurors, and counsaillours, and

Maintaining the authoritie of the Bishop of Roome.

Roome &c.

The second
offence.

Relieving the
offendours.

Gewing or ta-
king absolutio
by any Bulles
from Roome.

Obtaining of
Bulles from
Roome.

and also their aidours, assistants & comforters upon purpose, & to the intent to set forth, further, & extoll the sayd vsurped auctoritie, or iurisdiction of any of the said Bishops of Roome, and euery of them, being thereof lawfully indicted, or presented, within one yeare next after any such offences by him or them committed, and being lawfully convicted or attainted at any time after, according to the lawes of this realme for euery such default and offence, shall incurre into the dangers, penalties, and forfeitures, provided by the statute of provision and premunire, made 16. R. 2. And if any such offendour after such conviction and attainder, do either commit the said offences, or any of them in maner and forme aforesaid, and bee thereof duely convicted and attainted, as is aforesaid: then he shall forfeit and suffer such paines, forfeitures, iudgement, and execution, as is used in cases of high Treason. But this act, or any attaynder to bee had by force thereof shall not extend to make any corruption of blood, the disheriting of any heire, forfeiture of Dowry, nor to the prejudice of the right, or title of any person, other then of the offendour duringe his, her, or their naturall liues onely. But charitable giuinge of reasonable almes to any of the offendours aboue specified without fraude or couyn, shall not be taken to be any such abettement, procuring, concealing, ayding, assisting, or comforting, as thereby the giuer of such almes shall incur any paine, penaltie, or forfeiture appointed in this Act. 5. Cl. 1.

2 ¶ If any person or persons shall vse, or put in vse in any place within this Realme, or in any the Quenes dominions, any Bull, writinge, or instrument, written or printed of absolution, or reconciliation, obteyned from the Bishop of Roome, or any his successors, or from any other person or persons auctorised, or clayminge auctoritie, by, or from the said Bishop, his predecessours, or successors, or Sea of Roome: Or if any person or persons shall take upon him or them, by colour of any such Bull, writinge, Instrument or auctoritie, to absolve, or reconcile any person, or to graunt, or promyse to any person within this Realme, or any other the Quenes dominions, any such Absolution, or reconciliation, by any speech, preaching, teaching, writing, or any other open dedde: Or if any person or persons within this Realme, or any the Quenes dominions, shall willingly receiue, and take any such absolution, or reconciliation: Or else if any person or persons haue obtained or gotten since the last day of the Parliament, holden An. 1. Cl. or shall obtaine, or get, from the said Bishop of Roome, or any his successors, or Sea of Roome, any maner of Bull, writinge, or Instrument written, or printed, containing any thing, matter, or cause whatsoever, or shall publishe, or by any wayes or meanes put in vse any such Bull, writinge, or instrument,

Instrument, then al and every such act & offence, shalbe adjudged to be high treason, and the offendoꝝ therein, their procuroꝝ, abettors, and counsaillors to the fact, and committing of the said offence oꝝ offences, shalbe adjudged high traitors to the D. and the realme, & being therof lawfully indicted and attainted, according to the course of the lawes of this realme, shall suffer death, and for. al their landes, hereditaments &c. and cattels &c. 13. Cl. 2.

3 ¶ All and euey aidors, comforters, oꝝ maintainers of any y^e said offendoꝝ, after the committing of any of the said acts oꝝ offences, to the intēt to set forth, uphold, oꝝ allowe the doing, oꝝ executing of y^e said vsurped power, concerning y^e premisses, oꝝ any part therof, shal incurre the paines & penalties contained in the Statut of Premunire, made. 16. R. 2. 13. Cl. 2.

The for. of the aidors, comforters & maintainers, after the offences committed.

4 ¶ If any person to whom any such absolution, reconciliation, Bul, writing, oꝝ instrument shalbe offered, oꝝ perswaded to be vsed, put in vse, oꝝ executed, shal conceale the same offer, oꝝ perswasion, & not disclose it by writing, oꝝ otherwise, within fire weekes the next following to some of the Quenes priuy Counsel, oꝝ els to the President, oꝝ vice President of the Quenes Counsel established in the North, oꝝ in the Marches of Wales, the he shal incurre the penalty and forfaiture for misprision of high treason. But no person shal be troubled for misprision of treason, for any offence made treason by this act, other then such as befoze are declared to be in case of misprision of high treason. 13. Cl. 2.

Concealing of absolution oꝝ bul offered.

5 ¶ If any person shal at any time bring into this realme oꝝ any the dominions of the same, any token, oꝝ thing called Agnus dei, oꝝ any crosses, pictures, beades, oꝝ such like vaine and superstitious things from the Bishop oꝝ sea of Rome, oꝝ from any person oꝝ persons aucthorized, oꝝ claiming aucthoritie by, oꝝ from the sayde Bishops oꝝ sea, to consecrate, oꝝ hallowe the same, if the same person shal deliuer, oꝝ cause oꝝ suffer to be deliuered y^e same, oꝝ any of the, to any subject of this realme, oꝝ of any the dominions of the same, to be worne oꝝ vsed in any wise, then aswell the same person so doing, as also every other person which shall receiue and take the same to the intent to vse oꝝ weare the same, being thereof lawfully convicted and attainted by the order of the common lawes of this realme, shall incurre into the daungers, penalties, and forfaitures ordained by the Statut of Praemunire and Provision made 16. R. 2. Saving to every person, and body politike their heires and successors (other the the offendoꝝ, and their heires, and such as claime to their vles) al such rights, titles, leases, rents, reuerfions, offices, fees, hereditaments &c. as they oꝝ any of them shall haue the day of committing such offences, oꝝ any time befoze. 13. Cl. 2.

Agnus dei, crosses, pictures.

Other mens rights saued.

Apprehending
the offender, or
disclosing his
name.

6 ¶ If any person to whome any such Agnus dei, or other the things aforesaid shalbe offered to be delivered, shall apprehend y^e party so offering the same, & bring him to the next Justice of peace of y^e shire where such tender shalbe made (if he shalbe able so to do) or to lacke of such ability, shal within iii. daies next after such offer made, disclose y^e name & dwelling place, or places of resort of y^e perso which shal make such offer, (which he shal endeavour himselfe to knowe by al y^e meanes he can) to y^e Ordinary of the dioces, or to any Justice of peace of that shire, where such person to whō such offer shalbe made shalbe resistant. And also if such perso to whō such offer shalbe made, shal happen to receive any such Agnus dei, or other thing aboute remembered, & shal within the space of one day next after such receipt, deliver y^e same to any Justice of peace w^{thin} the same shire, where y^e party so receiving shalbe the resistant, or shal happen to be, the every such person or persons doing any the acts or things last aboute mentioned, in forme above declared, shall not by force of this statute incurre any danger or penalty. 13. Cl. 2. And y^e Justice of peace to whō any such matter shalbe declared, shal disclose y^e same w^{thin} xiiii. daies after, to one of the Q. private Counsell, or else hee shall incurre the danger of Præmunire, S. Justice of peace. 100.

Withdrawing
the subjects
from their obedience to y^e Q.

7 ¶ All persons whatsoever, which have or shal have, or shal pretend to have power, or shal by any wayes or meanes, put in practice to absolue, perswade, or withdrawe any of the Quenes majesties subjects, or any w^{thin} any her highnes dominions, fro their naturall obedience to her maiestie, or to withdrawe them fro that intent from the religion nowe by her highnesse auctoritie established w^{thin} her dominions, to the Romish Religion, or to induce them, or any of them, to promise any obedience to any pretended auctoritie of the See of Rome, or of any other prince, state, or potentate, to be had or used w^{thin} her dominions, or shall doe any overt act, to that intent or purpose, and every of them, shall be to all intentes adjudged to be traitors. And being thereof lawfully convicted, shall have judgement, suffer and forfeite, as in case of high treason. And if any person shal after the end of this Session of parliament, by any meanes be willingly absolved, or withdrawn as aforesayde, or willingly be reconciled, or shal promise any obedience to any such pretended auctoritie, prince, state, or potentate, as is aforesayde, then every such person, their procurers, and counsayers thereunto, being thereof lawfully convicted, shall be taken, tryed and judged, and shall suffer and forfeit, as in cases of hygh treason. 23. Cl. 1.

Reconciling or
being reconciled.

Adors & maintainers
of the
offenders.

8 ¶ All and every person and persons, that shall wittingly be adors, or mayntainers of such persons so offending as is above expressed,

expressed, or of any of them knowing the same, or which shall conceale any offence aforesaide, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of peace, or other higher officer: shalbe taken, tryed, and iudged, and shall suffer and forsaite as offendours in misprision of treason. And if any peere of this Realme shall happen to be indicted of any offence made treason, or misprision of treason by this act, he shall haue his triall by his peeres, as in other lyke cases is accustomed. 23. Cl. 1.

Trial of peeres

¶ Sacraments & Service deuine.

¶ If any person shall by any contemptuous wordes, deptraue, despise, or contempne the Sacrament of the bodie and blood of Christ, or speake against the receiuing thereof, vnder both kindes, or shall aduisedly in any other wise, contemne, despise, or reuile the same, hee shall suffer imprisonment, and make fyne at the Quenes pleasure. 1. Edwardi sexti 1. 1. Elizabeth 1. S. Justice of peace. 8.

Wituerent speaking against the sacrament.

2 ¶ If any Parson, Vicar, or other Minister, hauing anie spirituall living, which ought to sing or say common prayers, or to minister the Sacraments, shall refuse to vse the common prayers, or to minister the sacraments in such places as he should vse to minister the same, in such order and fourme, as they bee set forth in the booke of common prayer &c. authozised by Parliament Anno. 5. & 6. Edwardi sexti, with certaine additions &c. or shall wilfully, or obstinately standing in the same, vse any other ryght, ceremonie, order, fourme, or manner of celebrating the Lords Supper, open ly, or priuily, or administration of the Sacramentes, Mattens, Cuenlong, or other open prayers, (bz. such prayer as others bee to come vnto) then is mencioned and set forth in the sayd booke: He shall preache, declare, or speake any thinge in deptrauynge of the sayde booke, or of any thinge therein contayned, or of any part thereof, and shall bee thereof conuict, according to the lawes, by verdyct of twelue men, his owne confession, or by the notozious euidence of the fact, he shall for the first offence forf. to the Quene one whole yeeres profite of all his spirituall promotions, and bee imprisoned sixe monethes without bayle or mainprise, for the seconde offence being once before conuicted, shalbe depriued of all his spirituall promotions, and bee imprisoned twelue monethes &c. and being twice conuict, shall for the thirde offence bee imprisoned during his life, besides depriuation of all his spirituall liuinges. 1. Elizabeth 2.

If refusing to vse common prayers or to minister the sacraments in due order.

Sacraments & Service deuine.

An offender ha-
uing no spiritu-
all living.

Depriuing of þ
booke of com-
mon prayer, or pro-
curin g other co-
mon prayer.

Every person
shall resort to
the Church.

Within what
time þ offender
shalbe indicted.

Who may in-
quire of, & pun-
ish þ foresaid
offenc e.

3 ¶ If the partie offending, & being conuict in forme aforesaid, haue no spirituall living, he shall for his first offence be imprisoned one whole yere, and for the second during his life. 1. Cl. 2.

4 ¶ Whosoever shall in any Enterludes, plaies, songs, rimes, or by open wordes speake any thing in the despising, depzaing, or derogation of the same booke of common prayer, or of any thing therein contayned, or any part thereof: He shall by open act, deed, or threatnings, compell, procure, or maintaine, any Person, Vicar, or Minister in any Church, Chappel, or other place, to sing or say any common or open prayer: He to minister any sacramentes in or ther forme then is mencioned in the saide booke, or shal interupt any Minister &c. in any church, or other place to sing or say comon pray-er, or to minister any of þ sacramentes, in such forme, as is mencio- ned in the saide booke, shal for. to þ D. for his first offence C. marks, and being once conuict, shall forfeit for his second offence CCCC. markes, & being twice conuict, shall forfeit. for the thirde offence all his goods and cattels, and also suffer imprisonment during his life, and he which for his first offence doth not pay the C. markes within vi. weekes next after conuiction, shall for the same offence, in steade of the saide summe, suffer imprisonment sixe moneths without bayle or mainprise, & he which doth not pay the CCCC. markes within vi. weekes next after his second conuiction, shall in stead thereof be imprisoned xii. moneths &c. 1. Cl. 2.

5 ¶ Every person hauing no reasonable excuse to be absent, shall resort to the parish church or chappel, or (vpon reasonable let) to soe place where the common prayer shalbe bled, vpon euery Sunday, & other daies ordained & vled to be kept as holy dayes, & the and there shal abide orderly & soberly during the time of commo prayer, prea- chings, or other Gods service, vppon paine of forfeit. for euery offence xii. d. to be leuied by distres of his goods, lāds &c. by the Churchwar- dens, to the vse of the poore of the same parish, and also shalbe puni- shed by the Censures of the Church. 1. Cl. 2.

6 ¶ No person shalbe impeached or molested for any of the of- fences aboue mentioned, vnles hee bee indicted at the next generall Sessions holden befoze any Iustices of Oyer & ter. or Iustices of assise, next after any such offence committed. 1. Cl. 2.

7 ¶ Iustices of Oyer & deter. & Iustices of assise in their general sessions, & þ Maior of London, & all Maiors, Bailiffes, & other head officers of all Cities, Boroughs, and towne corporat, to the which Iustices of assise doe not commonly repaire, haue authoritie to in- quire, heare & determine al offences committed contrary to any ar- ticle, contained in this act, within xv. daies after Easter, and Saint Michael, & to make proces for þ execution of the same, as they may

do against any persō indicted befoze the of trespass. And euery arch-
bishop & bishop may at all times associat him selfe to þe saide Justices
et. at euery their generall sessions holden wthin his dioces for the
inquirie, hearing, and determining of the said offences. 1. Cl. 2.

8 ¶ Al Archbishops, Bishops, & euery of their Chancelors, Com-
missaries, Archdeacons, and other Ordinaries, hauing any peccate
ecclesiasticall iurisdiction, haue power to inquire wthin their iuris-
diction, & take informations, & accusations of al things aboue men-
tioned, committed wthin the lymits of their iurisdiccions, & to punish
thesame by admonition, excommunication, sequestration, or depri-
uation, or other Censures, & proces, as haue bene bled in the like ca-
ses by the Quēnes ecclesiasticall lawes. 1. Cl. 2.

9 ¶ Whatsoeuer persō offending in þe premisses, shal for his first
offence receiue punishment of the Ordinary, hauing a testimoniall
thereof vnder the said Ordinaries seale, shal not for the said offence
be estones punished befoze the Justices, et econuerso. 1. Cl. 2.

But once puni-
shed for one
offence.

10 ¶ Euery persō which shal say or sing Masse, being therof law-
fully couicted, shal forf. the summe of CC. markes, & be committed to
prison in þe next gaole, there to remaine by þe space of one yere, & fro
thenceforth til he haue paid þe said summe of CC. marks, and euery
person which shal willingly heare Masse, shal forf. the summe of one
hundred markes, & suffer imprisonment for a yere. 23. Cl. 1.

Saying or hea-
ring of Masse.

11 ¶ Euery person aboue the age of xvi. yeres, which shal not re-
paire to some church, chappel, or vñal place of cōmon praier, but for-
beare the same, contrary to the tenor of a statute made in the first
yere of her maiesties raigne, for vñiformitie of cōmon praier, & be-
ing therof lawfully couicted, shal forf. to the Quēnes maiestie
for euery moneth after the end of this Session of parliament, which
he or she shal so forbear, xx. li. and that ouer & besides the said forfai-
tures, euery person so forbearing, by the space of xii. monethes as a-
foresaid, shal for his or her obstinacie, (after certificat therof in wri-
ting made into the court, cōmonly called the Kings Benche, by the
Ordinary of the dioces, a Justice of assise, & gaole deliuerer, or a Jus-
tice of peace of the countie where such offender shall dwell or be,) be
bound w two sufficient sureties in the summe of CC. li. at þe least, to
the good behauiour, and so to continue bound untill such time as the
persons so bound do conforme them selues, and come to the church,
according to the true meaning of the said statut made in þe first yere
of the Q. raigne. 23. Cl. 1.

Repairing to
the church.

12 ¶ If any person or persōs, body politike or corporat, shal keepe
or maintaine any Schole master, which shall not repaire to church
as is aforesaid, or be allowed by þe Bishop or Ordinary of þe dioces
where such scholemaster shalbe so kept, shall forf. for euery moneth

Scholemaster.

Sacraments & Seruice deuine.

so keeping him, ten poundes. (Provided that no such Ordinarie or their minister shall take any thing for the sayde allowance.) And such Scholemaster or teacher presuming to teache contrary to this act, and being thereof lawfully convicted, shall be disabled to be a teacher of youth, and shall suffer imprisonment without baile or mainprise for one yere. 23. Cl. 1.

Servise in a mans private house.

13 ¶ Every person which usually on the Sunday shall have in his or her house the divine service which is established by the law in this realme, and be thereat himselfe, or her selfe, usually or most commonly present, and shall not obstinately refuse to come to church, and there to doe as is aforesaid, and shall also foure times in the yere at the least, be present at the deuine service in the church of the parish where he or she shall be resident, or in some other open common church, or such chappel of ease, shall not incurr any paine or penalty limited by this act, for not repairing to the Church. 23. Cl. 1.

To what use the forfeitures shall be imployed

14 ¶ All forfeitures of any summes of money limited by this act, shall be divided in three equal partes, whereof one thirde part shall be to the Quene, to her owne use, one other thirde part to the Quene, for reliefe of the poore in the parish where the offence shall be committed, to be deliuered by warrant of the principall officers in the receipt of the Exchequer, without further warrant from her Maiestie, and the other thirde part, to such person as will sue for the same, in any Court of record, by A. B. D. or J. in which suit no C. D. E. shall be allowed. And every person which shall forfeit any summes of money by vertue of this act, and shall not be able, or shall faile to pay the same within three moneths after iudgement thereof given, shall be committed to prison, there to remaine until he have paid the said summes, or conforme himselfe to go to church, & there do, as is aforesaid. 23. Cl. 1.

Covenants, conniunges, to defraude forfeitures.

15 ¶ Every graunt, conniungance, bond, iudgement, and erection, had or made since the beginning of this Session of Parliament, or hereafter to be had or made, of covenous purpose, to defraude any interest, ryght, or title, that may or ought to growe to the Quene, or to any other person, by meane of any conviction, or iudgement, by vertue of this statute, or of the statute of 13. Eliz. 2. shall be, and be adiudged to be utterly voyde against the Quene, and against such as shall sue for any part of the said penalties in forme aforesaid. 23. Cl. 1.

S. Rone. 1. pr.

A guiltie person conforming himselfe.

16 ¶ Every person guiltie of any offence against this statute, other then treason, and mysprision of treason, which shall before he be thereof indicted, or at his arraignment, or tryall before iudgement, submit and conforme him selfe before the Bishop of the dioces, where he shall be resident, or before the Iustices where he shall be

shall be indicted, arraigned or tryed (having not before made lyke submission, at any his triall being indicted for his first like offence,) shall vpon his recognition of such submission in open assises or sessions of the countie, where such person shall bee resiant, bee discharged of all and every the said offences against this act, (except treason and misprision of treason) and of all paines and forfeitures for the same. 23. Cl. 1.

17 ¶ Provided, that neither this acte, nor any thing therein contained, shall extende to take away or abridge the auctoritie, or jurisdiction of the Ecclesiasticall Censures for any cause or matter, but that the Archbishops and Bishops, and other Ecclesiasticall Judges may doe, and procede, as before the makinge of this acte, they lawfully dyd or myght have done: Any thing in this acte to the contrarie notwithstanding. 23. Elizabeth 1.

Ecclesiasticall
Censures.

1 Arresting a Minister which is doinge deuyne Service. See Arrestes. 1.

¶ Safecondites.

¶ Every safecondite to be graunted to any person or persons, the names of the owners of the shippes, and of the masters, and the number of the mariners, with the carriage of the Shippes shalbe expressed. 15. H. 6. 3. And if any Shippes or vessels charged with Marchandise, of any marchauntes being the Quenes enemies bee taken vpon the Sea by any of the Quenes liege people, if the masters, possessors, or Marchauntes of such Shippes &c. have not within the boorde of their Shippes &c. at the day of the taking of the, the Quenes letters patentees of her safecondit, suertie, or sauegarde for such Shippes &c. and merchandise, makinge mention of the names of the Shippes &c. and of the name of the master of the same, or the laide letters patentees the day of the taking bee not inrolled of recoorde in the Chauncerie, then the takers and possessours of the goodes and marchandises may continually enjoy and holde them without makinge any restitution of the same. 18. H. 6. 8. And all letters of safecondite graunted to any of the Quenes enemies, or other which bee not inrolled of recoorde in the Chauncerie before the deliuerie of them to whom they be graunted, be voyde. 20. Henrici 8. lertii 1.

What thinges
be requisite to
make safecon-
dits effectual.

Enrolment of
safecondit.

2 ¶ If any of the Quenes subjects do take any ships of any of the Quenes enemies laden wth marchandise, not having nor shewing such letters of safecondit within the said shippes at the time of the taking of them, & do lead the away with force to any place within the

Taking of these
shippes which
haue safecondit

Sanctuarie & abiuration.

realme, they shal not be endamaged for such taking, if they be ready to make restitution of such ships & marchāsses, wthin reasonable time after notice is giue to the of sufficient safecondit for y^e saie ships, & marchāsses, irolled in y^e chācery of record, befoze y^e taking therof. 20. h. 6. 1.

Restitution to
one hauing a
safecondit which
is robbed.

3 ¶ If any of y^e Queenes subiects attēpt, or offend vpon y^e sea, or in any port wthin this realme vnder her obedience against any stranger being vpon y^e sea, or in any port aforesaid, by way of amity, league, or truce, or by force of y^e D. safecondit or safegard, in any wise, & specially in attaching of any such strange person, robbing or spoyling of him, his ship, or any other goods, or against any other person of her liege people: the Chācelor of Englad hath auctoritey, calling to him any of the Justices of y^e one bench or of the other, vpon a bill or bills of complaint to him made in this behalf, to make such proces out of y^e said Chācery, aswel against all such offendours to bring the into y^e Chācery, there to answer to y^e parties so grieved in this behalf, as against any other persō or persons, to whose hāds any such person so attached, ship or goods shal come, as for y^e deliuerance & restitution by the to be made of y^e same persō, ship, & goods, as shal seeme to y^e same Chācelor most expedient. And vpon this proces, y^e saide Chācelor further shal procede in this matter, if the case doe so require, by aduise of any such Justice, to make y^e strangers so grieved to haue full restitution of any such persō so attached, & of al such ships, & goods, & also of al their costes, expences & losses sustained by the in this behalfe, & thereupon to make all maner of executiō out of y^e said Chācery in such forme, as shal seeme to y^e said Chāncelloz most expedient for such deliuerance, and restitution to bee had, calling to him any such Justice. &c. 3 I. H. 6. 4.

1 That all Aliens being in amitie vwith the Q. vvhich bring in vitailles shalbe vnder the Queenes safecondite. S. Vitailles 2.

¶ Sanctuarie & abiuration.

Diners sanctua-
ries taken a-
way.

¶ Sanctuaries & places priuiledged, which haue ben vbled or takē for any sanctuary (except parish Churches, and their churchyards, cathedral churches, hospitals, & churches collegiat, & all chapels dedicated, vbled as parish churches, & y^e sanctuaries to euery of the belōging, & except such places & territories, as hereafter be appoynted to be places of tuitiō & priuiledge) shalbe vtterly ertinguisht for any such liberty or priuiledge of sanctuary to al purposes &c. 3 2. H. 8. 12.

places of sanc-
tuarie.

2 ¶ These places & territories hereafter expressed, v^z, Welles in y^e County of Somerset, Westminster, Portsmouth, Portwith, Pothe, Darby, Launceston, (Westchester in y^e county of Chester, or some other towne or place appoynted by proclamation by R. H. 8. as Stafford &c. 33 H. 8. 15.) shalbe allowed, & takē for places of priuiledge, & tuitiō for terme of life of al & singuler offendours, of what soeuer

sooner kind every their offences shall be, for the which the paines of death should ensue by the lawes of this Realme, other then such as hereafter be excepted. But the said privileged places shall be allowed onely within the bounds appoynted, & returned into the Chauncery vnder y^e seales of Commissioners, authoressed by commissions vnder y^e great seale of England, to make perambulations, & to appoint howe farre & where y^e bounds of every of y^e said privileged places, shall extend, & not els where within y^e reioyne of y^e Citie of Towne where such limits be appointed. 32. H. 8. 12.

3 ¶ If any person flee, or resort to any parish church, cemetary, or other like hallowed place, for tution of his life, by occasion of any murder, robberie, or any other felony by him committed, & therupon confesse any murder, felony, or other offence befoze the Coroner, wherfoze he by the lawes of this realme heretofore bled should abjure, & passe out of y^e same: the same person therupon shall abjure fro al his liberty of this realme, & from his liberal & free habitations, resorts, & passages, to & from y^e vniuersal places of this realme which appertayne to y^e liberty of y^e D. subjects vndefamed, & shall forthwith be directed by y^e Coroner taking & recording such abiuration, to any one sanctuary being wⁱn this realme, which y^e same pers^o wil chose, there to remaine as a sanctuary person abjured during his naturall life, & shall be swozne befoze y^e Coroner vpo his abiuration so to do 22. H. 8. 14. But there shall not be at any one time aboue xx. privileged persons receiued into any one of the foresaide privileged places. 32. H. 8. 12. whether a mā may abjure y^e realme in other cases at this day then for felony. Quere. S. Forests. 1.

The forme of
abiuration.

xx. persons in
one place.

4 ¶ And the Coroner immediately after his confession and befoze his abiuration, shall cause every such felon or murderer to be marked with an hot Iron vpon the b^rawne of the thumbe of the right hand, with the signe of an A. to y^e intent he may the better be knowne among the Quenes subiectes that he was abjured: and then to giue him his abiuration, and to be bled in all other thinges as hath bene accustomed. And all Sheriffs, Bailiffes, and Constables shall be attendant at the commaundement of the Coroner, for the due execution thereof, as they will aunswere at their perils to the Quene for the same. 21. H. 8. 2.

Quere,
Abjured persons
shall be marked
on the thumbe.

5 ¶ If any person do take any refuge or sanctuary in any parish church, or churchyard, cathedral Church, Hospital, Church collegiat, or other chappel dedicate, commonly bled as parish churches, or in y^e Cemetary to any of the belonging, for any offence (other then such as be hereafter excepted) the he shall & may remaine there by y^e space of xl. daies as hath ben bled, vsing himselfe in al points according to y^e lawes & statuts of y^e realme, vnlesse the Coroner in y^e meane time repaire

How he shall be
bled which ta-
keth sanctuary.

Sanctuarie & abiuration.

repaire vnto him for the taking of his abiuration, in which case by on repaire of the said Coroner, he shal & may abiure to any of y^e said p^ruiledged places befoze named not being ful of y^e n^uber to cuery of the appointed, there to remain during his life, vsing himselfe in such like order in all things as is appointed by y^e statutes & lawes of this realme, for y^e good order of sanctuary persons to be obserued within p^ruiledged sanctuaries. 32. H. 8. 12.

A felo refusing
to abiure.

6 ¶ If any felon, or murderer, that ought to haue any such abiuration, refuse to take his passage out of y^e said sanctuarie, at such time as shalbe limited vnto him by the said Coroner, the he shal lose the benefit of y^e same sanctuarie, & be take out of y^e same, & comitted to p^rison, & farther be ordered for his offence after his merits, w^out any restitution to sanctuarie for the same. 21. H. 8. 2.

Whational appa
rance of sanctu
arie persons, be
foze their go
uer. 07.

7 ¶ The officer or gouernor of euery of y^e said p^ruiledged places and territories, shal daily call by himselfe, or his deputy, al and cuery of the said p^ruiledged persons by their names, & if any of the doe make default at thre seueral dates together, & do not personally appeare at any of the said thre dates, having no lawfull excuse to y^e contrary, the he which maketh default, shal lose y^e p^ruiledge of al & cuery of the said p^ruiledged places. 32. H. 8. 12.

How the abiu
red person shal
be brought to
sanctuarie.

8 ¶ If any person do abiure to any of the said p^ruiledged places according to y^e puruey of this act, he shalbe bled, conducted, & brought from constable to constable directly according to y^e order of y^e lawes heretofore bled for the conducting of abjured persons to their ports after their abiurations, vntill such time as he be brought to the gouernor of the said p^ruiledged place wherunto he shal so be abjured, or to his deputy. And if at y^e bringing of him thither, it shall appeare by the register there kept of the names of the p^ruiledged persones then beinge in the saide p^ruiledged place: that the saide p^ruiledged place is then full of the said number of the said p^ruiledged persons, beinge the there lawfully p^ruiledged: then the gouernor of y^e said p^ruiledged place, or his deputy, shal declare vnto y^e said abjured person, and to the officer that conducteth him, that the saide abjured person may not be there receiued, for that the said p^ruiledged place is then already ful of his number, and thereupon shall commaund the saide officer to conduct and deliuer the sayd abjured person to the Constable, or other officer of the next towne adioynning to the sayde p^ruiledged place, leading directly to the next of the said other p^ruiledged places: And y^e same abjured person so to be deliuered from constable to constable, officer or officers of cuery Towneshipp tending towards the same next p^ruiledged place vntill he be thither conducted, and there deliuered, to remaine as is aforesaid. And the gouernor of the said p^ruiledged place, where such refusal was had, or his deputy, shall make

make an entry in *h* saide register of the whole matter, viz. what day and yere the said abiured person was brought thither vnto him, and by what officer, and so: what cause he did refuse *h* receiuing of him, and to which of the other said priuiledged places *h* said abiured person was from thence appointed to bee committed, and shall before the departure of the said abiured person, deliuer to him a true copy of *h* said entry, to the intent hee may deliuer the same to the gouernour of the said other priuiledged place to the which he shalbe conducted, or to his deputy. And the said gouernour of the same priuiledged place if that same place be not the full of his number, shall receiue the said abiured person, vpon the sight of the said bill, there to remaine during his life as a priuiledged person, according to the puruewe of this estatute. And like order shall bee alwaies obserued so: the conducting of all abiured persons from euery of the sayde priuiledged places being full of their number, at the time of the bynging thither of any such abiured person, to the next other of the saide places, vntill the said abiured person be receiued into one of the saide priuiledged places, not hauing his full number according to the puruewe of this act. And euery gouernour of the said priuiledged places not doing his duty, according to *h* puruewe of this act, & euery Constable, & other the Quenes officers refusing to receiue or to conduct such abiured persons, shal forfeite to *h* Q. so: euery of their defaults in this behalfe. xl. s. 32. H. 8. 12.

9 ¶ If any of the said abiured persons, within the time he shalbe in any of the saide priuiledged places, as a priuiledged man, commit any felony or other offence, so: the which the penalty of death should enlue by the lawes & statuts of this Realme, then he shal so: ever lose the priuiledge aswel of the said place, as of all other sanctuaries before named. 32. H. 8. 12. And it shalbe lawfull to al & singular Justices of peace, & the high sheriffe of the countie, or other place where the said sanctuarie is, and to all and singular Maiors, sheriffes & bailifes of Cities & townes corporat where such sanctuarie is, & to euery of them, & to the seruantes & officers of any, or euery of them in their ptesence, to take out of the same sanctuarie euery such sanctuary person so offending, & being indicted of the same, and to commit him to the Quenes Gaole, w^{ch} *h* shire or libertie where any such indictment is found against him, safely to be kept til he shal be of the same felony, or of the accessory to any such offences, whereof he shalbe indicted, convicted, attainted, or discharged by the law. 23. H. 8. 14. 32. H. 8. 3.

10 ¶ But if any person which was at any time a sanctuary person so: any felony, obtaine the Q. pardon, and thereby, or other wise be out of sanctuary, discharged or purged of the offence wherfore he took

Lossing of sanctuary by committing of felony.

Where one of ffeodors may more haue sanctuary

Sanctuarie & abiuration.

toke sanctuary, & after ward do comit other felony oꝝ manslaughter by chance medly, & not murder of malice prepced, & therupō againe take sanctuary, ȳ same persō shal haue & enioy the priuiledge of sanctuary so; that his other offēce of felony oꝝ māslaughter by chaunce medlie, as he might haue had befoze the making of this act. 22. H. 8. 14. 32. H. 8. 3.

None shalbe taken out of sanctuary befoze he be examined.

11 ¶ If any persō being in any sanctuary as a sanctuary person, shalbe indicted soꝝ any felony suppoled to be comitted by him going out of ȳ same, oꝝ any other sanctuary, & comitting the same felonie whiles he was so a sanctuary person, he shal not be taken out of the same sanctuary befoze ȳ he be examined therof by ii. of ȳ M. coušel, oꝝ by foure Justices of peace of ȳ shire where ȳ sanctuary is, where in the person so indicted is resident, & if wīn iiii. dayes after the first examination, he do make such pꝛose as ȳ said examiners shal thiinke sufficiēt, ȳ he was in ȳ sanctuary at ȳ time of ȳ said felony comitted, then he shalbe suffered to remaine in ȳ same sanctuary, without any extraction, the said indictment oꝝ any thing in this act ec. notwithstanding. 22. H. 8. 14. 32. H. 8. 3.

Sanctuary persons shal weare badges.

12 ¶ Al e singuler persons which shalbe priuiledged in any sanctuary, soꝝ murder oꝝ felony, shal dailly whensoever they be wīout the house oꝝ mansion toherin they haue their lodging, weare a badge, oꝝ cognisance, by ȳ gouernoz of euery satuary assigned, openly vpon their vpper garment, of the compasse in length & breadth i. ynches, vpon paine ȳ whēsoever any of the being out of ȳ said house, oꝝ mansion wherein he hath his lodging, shalbe takē wīout the same badge, clerely to lose his priuiledge of sanctuary. And it shalbe lawfūl to all e singuler ȳ Quēnes subiects, to appꝛehend euery such offendoꝝ being without his badge, & him to bzing out of ȳ sanctuary into ȳ next gaole, there to remaine vnto the next gaole deliuey, & the to be tryed accoꝝding to the oꝝder of the lawe, as though hee had neuer bene priuiledged in any such sanctuary. 27. H. 8. 19.

Sanctuary persons shal weare no weapons.

13 ¶ No priuiledged persons at any time shal beare, occupie, oꝝ weare vpon the any maner of sword, knife, oꝝ other weapon, other then their meat knives, & the same meat knives but at their meales onely, vpon paine as is befoze rehearsed. 27. H. 8. 19.

Abjode befoze oꝝ after iuine.

14 ¶ If any of the said priuiledged persons shal at any time be found oꝝ taken out of his lodging befoze ȳ Sunne rising in the morning, oꝝ after ȳ sunne going doꝝwne in ȳ euening, he shal at the first time suffer imprisonment wīn the same sanctuary by ȳ space of two dayes, & at ȳ second time haue imprisonment by ȳ space of vi. daies: & at ȳ thirde time (& the same being substantially pꝛoued by indifferēt pꝛoues therof to be made befoze ȳ lord Chaunceloz) shal lose his priuiledge of sanctuary. 27. H. 8. 19.

15 ¶ If any sanctuary persō of p̄p̄ced malice, at any time p̄p̄
rescue, or resist any of y^e gouernours aforesaid, or their deputies in ex-
ecuting of their office, in taking & imprisoning of any of y^e persōs p̄p̄-
uiledged offending cōtrary to the tenor of this act, the he y^e shal tor-
ture to make rescues, shalbe taken out of sanctuary, & shal iustice & be
tried as a felon in euery thing. 27. H. 8. 19.

16 ¶ The gouernours or their deputie, of any of y^e same sanctua-
ries, where any contract of debt vnder R. S. Trespas, or couenauant
shalbe made, grow, or be, within any of the said factuaries betwene
any of the saide p̄uiledged persōs, & other inhabitants within any
such sanctuary, haue authoritie to order, iudge, and determine the
same according as it shall be duly there p̄oued before the saide go-
uernours. 27. H. 8. 19.

17 ¶ No person shal haue the p̄uiledge of the sanctuary which
is an offendour in any kind of high Treason, whatsoever they be,
nor any of his aidours, consentors, counsaillors, nor abbettours. 26.
H. 8. 13. Nor any person or persons offending in any treasons. 28.
H. 8. 7.

18 ¶ Nor which conspireth to take, or keepe from the Quene,
any of her castels, or to destroy any of them, hauing munition or
garded with souldiers for the defence of this Realme, and the same
by manifest act both declare. Nor which is an aydo, counsaillour,
cōforter, consentor, or abbettor to any such offendour, knowing ther-
of. 14. El. 1. S. Castels. 1.

19 ¶ Nor which being a vagabond, & byon his second cōfession
for his rogish life, is taken by some person into seruice, from whom
he departeth wīn two yeeres, nor he which being twice conuicted
as a vagabond, both sal y^e thirde time, or moze often times to a rogish
life. An. 14. El. 5. S. Vagabonds. 6. 8.

20 ¶ Nor which is attainted, or conuicted of murder of malice
p̄p̄p̄ced, or of poysoning of malice p̄p̄p̄ced, or of breaking any
house by day or by night, any person being in y^e same house, & therby
put in feare, or of robbing any persō in, or nere vnto y^e high way, or
of felonious stealing of any hōrses, geldings, or mares, or of feloni-
ous taking of any goods, out of any church or chappel, or being indic-
ted or appealed of any of y^e said offences, & thereupō found guilty by
verdict of R. men, or shal confesse y^e same vpon his arraignment, or
wil not answer directly according to y^e lawes, or shal stand wilful-
ly or of malice mufe. 1. Ed. 6. 12. S. Clergie. 13.

21 ¶ Nor which doth practice Inuocation, or Coniuration of
wicked spirits, or enchanment, witchcraft, charme, or sozcery, wher-
by any person shalbe killed, or whereby any person shalbe cōsumed,
or lamed in his body, or his goods wasted, being once conuicted of the
said

Resisting their
gouernours.

The gouernours
of sanctuaries
may determine
contracts.

These shal not
haue the p̄uile-
dge of sanctu-
arie.
Treason.

Taking the
Queenes
castels.

Vagabond.

Murder.

Burglary.

Coniuration.
Witchcraft.

Second deliuerance.

Forgerie of en-
deures.

said second offence befoze. 5. Cl. 16. S. Coniuration. 11.
22 ¶ For which is convicted or condemned of any the offences prohibited by the statute provided against the forging of evidences and writings by any of the wapes or meanes limited in the sayde statute, and doth elsions commit any of the saide offences. 5. Cl. 14. S. Forger. 4.

Souldiour.

23 ¶ For any souldier serving the Quene in her warres, in any of her dominions, or on the sea; or beyond the sea, or in Scotland; which departeth without licence of the Lieutenant, high Admirall, vice Admirall, wardē, or captaine, & in their absence of their Lieutenants. 2. Ed. 6. 2. S. Capitaines. 3.

24 ¶ For any person which is attainted of any of the offences made felony by the stat. provided 23. Cl. against seditious words & rumors uttered against the R. maiestie 23. Cl. 2. S. Newes. 5. 6. 7.

¶ Second deliuerance.

As soone as returne of the Cattell is awarded to him which dyd distraine the same, the Sherife shall be commaunded by a Iudiciall writ to make returne of the cattel to the party which took the distresse, in which writ it shalbe expressed, that the Sherife shal not deliuer them without a writ making mention of the iudgement given by the Iustices, which cannot be without a writ issuing out of the roubles of the same Iustices befoze whome the matter was in suit. And if he which is distrained to go vnto the Iustices, and do desire to haue the same cattel repleined vnto him againe, he shall haue a iudiciall writ that the Sherife (taking suerty to prosecute the suit, & to restore the cattel or their price, if returne be awarded) shall deliuer vnto him his beasts, or cattel befoze returned, & he which distrained, shal be attached to appeare at a certaine day befoze the Iustices, befoze whom the suit shalbe determined in the presence of the parties. And if he which repleined the cattel do make default againe, or for any other cause, returne of the distresse shalbe awarded now twice repleined, the distresse shall for ever remaine irrepleuisable. But if a distresse be taken of newe, & for a newe cause, the proces bled in the repleuin shalbe awarded. 2. 13. Ed. 1. 2.

1 Where the auovvant in second deliuerance, shall recouer damages and costes. S. Damages. 7.

¶ Savvers.

Commissions of Savvors &c. shalbe directed in all partes within this realme from time to time for ever (3. Ed. 6. 9.) where and when need shal require according to the forme & effect hereafter ensuing, to such substantiall & indifferent persons as shalbe named by the

Lord Chauncelour, and Lord Treasorer of Englande, and the two chiefe Justices for the time being, or by thre or iij, wherof the lord Chauncelour to be one.

2. ¶ Elizabeth. 3c. knowe ye y^e forasmuch as the walles, ditches, bankes, gutters, sewers, gores, calcies, bridges, streames, and other defences by the coasts of the Seas & marsh groundes, being & lying within the limits of A. B. or C. in the countie, or counties of L. P. or in the borders or confines of the same, by rage of y^e sea, flowing, & refloving, & by meane of the trenches of fresh waters descending, & having course by divers waies to the sea, be so corrupt, lacerat, & broken: And also the common passages of ships, balengiers and boates in the rivers, streames, & other fynyds within y^e limits of A. B. or C. in the countie or counties of L. P. or in the borders or confines of y^e same, by meane of setting up, erecting, & makinge of streames, milnes, bridges, ponds, fishgarthes, mudammes, lockes, hebbing weares, heckes, & fludgates, or other like lettes, impediments, or annoyances be letted & interrupted so that great & inestimable damage for default of reparatio of the said walles, ditches, trenches, sewers gores, gutters, calcies, bridges, & streames, & also by meane of setting up, erecting, making, & enlarging of y^e said fishgarth, mudamis, lockes, hebbing weares, heckes, fludgates, & other like annoyances in times past hath happened, and yet is to be feared that farre greater hurt, losse and damage is like to ensue, unless that speedy remedy be provided in that behalfe: We therefore, for that by reason of our dignitie and prerogative roial, we be bound to provide for the safte and preservatio of our realme of England, willing that speedy remedy be had in the premises, have assigned you, & vi. of you, of the which we will that A. B. & C. shalbe iii. to be our Justices, to survey y^e said walles, streames, ditches, bankes, gutters, sewers, gores, calcies, bridges, trenches, milnes, mudammes, fludgates, ponds, lockes, hebbing weares, & other impediments lettes & annoyances aforesaide, & the same cause to be made, corrected, repaired, amended, put down, reformed, as cause shall require, after your wisdomes & discretions, and therein as wel to ordaine & do after the forme, tenor & effect of al and singuler the statutes & ordinances made touching the premises, or any of the, as also to enquire by the othes of the honest & lawfull men of y^e said shire or shires, place, or places, where such defaultes or annoyances be, aswell within y^e liberties as without (by whom the trueth may y^e rather be knowen) through whose defaults the said hurttes and damages have happened, & who hath, or holdeth any lands, or tenements, or comon of pasture, or profit of fishing, or bath or may have any hurt, losse, or disadvantage by any maner of meanes in the said places, aswell nere to the said daungers, lettes

The forme of
the Comission
of Sewers.

Reforming an-
noyances.

Inquire by
whose default
the damages
chaunce.

and

Sewers.

Assessing of the
inhabitants.

Taking away &
impediments.

Officers for the
repaire of an-
noyances.

Taking of work-
men & things
necessarie.

Ordinances
constituted.

and impediments, as inhabiting or dwelling there about, by y^e saide walles, ditches, banks, gutters, gotes, sewers, trenchers, & other the said impediments, & annoyances. And al those persons, & every of the, to take, asseſſe, charge, distraine, & punish aswell wthin y^e metes, limits & boundes of old time accustomed, or otherwise, as els where, with- in our realme of England, after y^e quantity of their lāds, tenemēts, & rentes, by y^e number of acres, & perches, after y^e rate of every per- sons porcion, tenure, or profit, or after y^e quantity of their cōmon of pasture, or profit of fishing, or other cōmodities there, by such waies & meanes, & in such maner & forme as to you or bi. of you, wherof y^e said, A. B. & C. to be iii. shal ſeeme most convenient to be ordained & done, for redress & reſozmation to be had in y^e premisses. And also to reſozme, repaire & amend y^e said walles, ditches, banks, gutters, sewers, gotes, calceis, bridges, streames and other the premisses in all places needfull, and the same as often, and where need shalbe to make newe. And to cleanse & purge the trenches, sewers, and di- ches in all places necessary. And farther to reſozme, amende, proſ- trate, and ouerthrowe al such milles, streames, pondes, lockes, fish- garthes, hebbing weares, and other impediments and annoyances aforesaid, as shalbe founde by inquisition, or by your surueying and discretions to be excessive or hurtful. And also to depute & assigne di- ligent, faithfull, & true keepers, bailiffes, suruetours, collectors, expen- ditours, & other ministers, and officers, for the safty, conseruation, re- paration, and making of the premisses, and every of them, & to heare the accompt of the collectors and other ministers of, & for y^e receipt & laying out of y^e mony, y^e shalbe leuied & payde in & about y^e making, repairing, reſozming, & amending of the said walles, ditches, banks, gutters, gotes, sewers, calceys, bridges, streames, trenches, milles, ponds, locks, fishgarthes, fladgates, & other impedimēts, & annoy- ances aforesaid. And to distrain for y^e arrerage of every such collec- tion, take, or asseſſe, as oftē as shalbe expedient, or otherwise to punish y^e debtors & defaultors of y^e same, by fines, amerciamēts, paines, or other like meanes, after your good discretions, & also to arrest, & take as many carts, horses, oren, beasts, & other instruments necessary, & as many workmē & labozers, as for the said workes & reparation shal suffice, paying for y^e same cōpetent wages, salary & stipend in y^e behalfe. And also to take such, & as many trees, woods, under woods, & timber, & other necessities, as for the same workes, & reparations shalbe sufficient at a reasonable price, by you, or bi. of you (of y^e which, we wil y^e A. B. & C. shalbe iii.) to be asseſſed or limited, aswell wthin y^e limits & boundes aforesaid, as in any other place within y^e said cou- nty or counties, neere vnto y^e said places: And to make & ordaine sta- tuts, ordināces, & promiſſions, frō time to time as y^e case shal require,

for

for the sauegard, conseruation, redressse, correction, & refozmation of the pzemisses, & of euery of them, & the parties lying to the same necessarie & behouefull, after the lawes & customes of Honney March in the countie of Kent, or otherwile by any wayes or meanes after your owne wisdomes & discretions. And to heare & determine al singuler the pzemisses, aswell at our suit, as at the suit of any other whatsoeuer complayninge before you, or by, of you, whereof A. B. & C. shalbe iiij. after the lawes & customes aforesaid, or otherwile by any other waies & meanes after your discretions. And also to make & direct al writs, pzecepts, warrants, or other commaundemets by vertue of these pzeents to al Sherifes, bailifs, & al other ministers, officers & other persons, aswell within liberties as without, before you, or by, of you, whereof y^e said A. B. & C. to be iij. at certain dayes, termes, and places to be pzeferred to be returned & receiued, and further to continue the pzeoces of the same. And finally to do all & euery thing & things as shalbe requisite for the due execution of y^e pzemisses, by al waies & meanes after your discretions. And therefore we commaund you, that at certaine daies & places when & where you, or by, of you, (whereof the said A. B. & C. to be iij.) shall thinke expedient, ye do suruey the said walles, fences, ditches, bankes, gutters, gofes, sewers, calceys, ponds, bridges, riuers, streames, watercourses, milles, lockes, trenches, fishgarthes, sluogates, & other the letts, impediments, and annoyances aforesaid, & accomplish, fulfil, heare, & determine all & singuler the pzemisses in due forme, & to the effect aforesaid, after your good discretions. And al such as yee shall finde negligent, gaine saying, or rebelling in the said workes, reparatiōs, or refozmation of the pzemisses, or negligent in the due execution of this our commission, that ye do compell them by distresse, fines, and amerciaments, or by other punishments, waies, or meanes, which to you, or by, of you, (whereof y^e said A. B. & C. shalbe iij.) shall seeme most expedient, for the speedy remedy, redressse, & refozmatiō of y^e pzemisses, and due execution of the same. And al such things as by you shalbe made and ordained in this behalfe, aswell within liberties as without, that you do cause the same firmly to bee obserued, doinge therein as to our Iustices appertaineth, after the lawes & statuts of this our realme, and according to your wisdomes and discretions: Sated alwayes to be such fines & amerciamentes, as to be thereof shall belong. And we also commaunde our Sherife or Sherifes of our said countie or counties of L. J. that they shal cause to come before you, or by, of you, (of the which A. B. & C. shalbe iij.) at such daies and places, as ye shal appoint them, such and as many honest men, of his or their Balliwiki, aswell within the liberties as without, by whom the trouth may best be known, to enquire of the

Heare & determine offences.

Directing of writs and pzecepts.

All officers that
be attendant to
the commissio-
ners of sewers.

The Commissio-
ners duty.

The Commissio-
ners Othe.

The Commissio-
ners authority

How long the
Commissioners
decrees shall
continue.

premisses, commanding also al other ministers & officers, as well within liberties as without, & they & every of them shalbe attendat to you, in & about & the execution of this our commission. In witness &c.

3 Every such person as shalbe named Commissioner in the said commission, after he hath knowledge thereof, shal effectually put his attendance about the execution of the said Commission, and before he shal take upon him the execution thereof, he shal take a corporal oath before the Lord Chancellor, or before such to whom the Lord Chancellor shal direct the Quenes writ of Dedimus potestatem to take the same, or before the Justices of peace in the quarter Sessions, holden in the shire where such Commission shalbe directed. The tenour of which othe hereafter ensueth. 23. H. 8. 5.

4 We shal swear, that you to your cunning, wit & power, shal truly & indifferently execute the authoritie to you given by this Commission of Sewers, without any favour, affection, corruptio, dread, or malice to be borne to any manner person or persons. And as the case shal require, ye shal consent & endeavour your selfe for your part to the best of your knowledge & power, to the makinge of such wholesome, iust, equal, and indifferent lawes & ordinances, as shal be made and devised by the most discrete and indifferent number of your fellows being in commission with you, for the due redresse, reformation, and amendement of all and every such thinges as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, & power, cause to be put in due execution, without favour, meede, dread, malice, or affection, as God you helpe &c. 23. H. 8. 5.

5 The Commissioners named in any of the sayd commissions accordinge to the purpozt & effect of the same commissions, have authoritie to make & ordeine lawes, ordinances, & decrees, & further to doe al & every thing mencioned in the said commission, accordinge to the purpozt, effect, words, & true meaning of & same. And the same lawes & ordinances so made, to reforme, repeale, & amende, & make new, from time to time, as the cases necessarie shal require in & behalfe. 23. H. 8. 5. And al such lawes, ordinances, & constitutions, as be or shalbe duely made by force of any such commission, according to the tenour & effect limited in any statute made, (before 2. Aprilis. An. D. 1571.) touching Commissions of Sewers, & being written in parchment indented, & under the scales of & said Commissioners or vi. of them (whereof the one part shal remaine with the Clerke appointed for & Commission of Sewers for the time beinge, & the other in such place as the same Commissioners or vi. of them shal appoint) shal without any certificat thereof to be made into the Chancery & without the royall assent to the same had, continue in full force & effect.

notwithstanding any determination of any such commissiō by Superledeas, vntill such time as y^e s^ae lawes &c. shalbe altered or repealed by y^e commissiōners after to be assigned for sewers in those partes where y^e same lawes &c. were made, or by vij. of them. 13. Cl. 9.

6 ¶ The foresaid act, & all Commissions of Sewers to be directed according to the tenour of the same, shal extende & geue authoritie that the Commissiōners therein named for the countie of Glamorgan or vi. of them (wherof iiii. to be of the Quorum) shal haue full authoritie from time to time to make such lawes, promissions, & decrees w^{ch} in the said countie of Glamorgan, for the redress & saving y^e grounds there from hurt or destruction, by reason of land rising out of y^e sea, & oute to land by stormes & winds, as they may do by the said former act & commissiō, for the auoiding of the outrageous course of the Sea, & other waters. 1. P. Parl. 2. 11.

Commissiōners
for the Countie
of Glamorgan.

7 ¶ If any person being taxed to any lot or charge, for any lāds, tenements, or hereditaments, within the limits of any commissiō, do not pay the same, according to y^e ordināce of y^e commissiōners, hauing power of y^e execution of the said commissiō, by reason whereof it shal happen the said commissiōners for lacke of paymēt of such lot & charge, to decree, & ordaine y^e same lāds &c. from the owner thereof & his heires to any person or persons for terme of yeares, terme of life, in fee simple, or in tail, for paymēt of y^e same lot & charge: The enery such decree & ordinance so by the made, ingrossed in parchment & sealed, shal bind enery person, that at the makinge of y^e s^ae decree, had any interest, in such landes &c. in vse, possession, reuerſion, or remainder, their heires & scoffers, & enery of the. 23. H. 8. 5.

The Commissiō
ners decree,
shal bind other
meng lāds.

8 ¶ The same lawes, ordinances, & decrees made by the said commissiōners or vi. of them by authoritie of the said commissiō, shal binde alwel the lāds, tenements, & hereditaments of the Queene, as al other persons & their heires, and such their interest as they shall or may haue in any lāds &c. or other casual commodities whatsoeuer, wherunto the said lawes &c. shal in any wise extend, according to the true intent of y^e same lawes. 23. H. 8. 5. And al scots, and lots, summes of money to be rated & taxed by vertue of such commissiō of Sewers, vpon any of the M. lāds &c. for any thing concernyng y^e articles of y^e said commissiō, shalbe gathered & leuied by distress, or other wise, in like maner as shal or may be doe in y^e lāds of any other person. And al bills of acquitāce signed w^{ch} y^e hand of such collector or receiuer, as shal haue y^e collectiō thereof, by y^e appoimēt of y^e said commissiōners or vij. of the, shalbe alwel a sufficiēt discharge to y^e tenants, fermors, & occupiers of y^e s^ae grounds, so to be charged for y^e said summe wherwith their ground shalbe so charged, as also a sufficiēt warrant to enery receiuer, auditor, & other whatsoever officer of y^e Ducens &c.

The Commissiō
ners decree,
shall binde the
Queene, & all
other persons
lāds.

Sewers.

for the allowance to such tenant &c. for the same. 3. Ed. 6. 8.

Commissioners
shalbe dwelling
within the
same countie.

9 ¶ No person shalbe compelled to be sworn or otherwise bound to sit or travel in execution of any Commission of Sewers, unless he be dwelling within the countie, whereof he shalbe assigned to be Commissioner. 25. H. 8. 10.

Refusal to take
the othe.

10 ¶ If any person assigned to be such Commissioners of Sewers, being required by such as shal have authoritie by the Queens writ or otherwise, to receive the othe aforesaid, both refuse to take the same othe, or upon that request made, both not receive the same, & that refusal or contempt be done in the Chancery, or returned into the Chancery with the said writ, he shal forfeit for the same contempt to the Quene. v. markes. And so to lose from time to time v. markes for every such contempt, as shalbe done or returned into the sayde Chancery against any such person, unless that he in the same Chancery do shew in the said terme wherin such returne shalbe made, sufficient cause to be allowed by the Lord Chancellor for his excuse in that behalfe. 25. H. 8. 10.

None shal sit,
except he be
sworne.

11 ¶ If any person do take upon him to sit by vertue of any of the said Commissions, not being before sworn, in so me as is aforesaid, & according to the tenour of the othe before specified: And if any person so named & sworn do sit, not having lands & tenementes or other hereditamentes in fee simple, fee taile, or for terme of life, to the cleere verely value of xl. markes, above all charges, to his owne use, (except he be resident & free of any citie, borough, or towne corporat, & have moveable substance of the cleere value of one C. li. or else be learned in the lawes of this realme, & admitted in one of the four principal Innes of Court for an utter barrister) he shal forfeit xl. li. for every time that he shal attempt so to do, to the D. & J. to be rec. by A. J. &c. wherein no W. &c. C. or P. &c. 23. H. 8. 5.

Of what living
or degree every
Commissioner
ought to be.

A farmer of
lands chargeable,
shal not be
commissioner
within the same
precinct.

12 ¶ No fermour for terme of yerres, of any lands, or tenementes lying within the precincts of any such commission of sewers, which be or hereafter may be ordered and chargeable by any ordinances or constitutions made or to be made, by vertue of any such commission, wherein he shalbe appointed Commissioner, (not having estate of freehold within the realme of England, in lands or tenementes of the verely value of xl. li. shal have power to sitt, or in any wise interfere with the execution of such Commission duringe the time he shall continue fermour of any such landes, and shall not have estate of freehold, as is aforesaid: But every such Commission as having respect onely to every such person for such, & so long time as he shal so continue fermour of any such lands, shalbe adjudged in lawe to be void, any thing in the said Commission, or any statute &c. notwithstanding. But it shalbe lawful for any Commissioner beinge also a fermour,

fermoꝝ, and not having lands &c. to the clere yerely value of xl. li. of freehold, to sit by vertue of the said Commission, & haue his voyce & full authority with others to make & establish ordinances for Sewers, according to the tenour of the Commission, concerninge all landes & tenements within the precinct of euery such Commission, other the such lands &c. as he for the time being shall hold & enioy as farmoꝝ, as he might haue done befoze the making of this Statut. 13. El. 9.

13 ¶ If any action of trespass, or other suit shalbe attempted against any person for taking of any distress, or any other act doing by authority of the said commission, or by authority of any lawes or ordinances made by vertue of the same, the defendand therein shall and may make auowzie, cognisance, or iustificacion for the taking of the same distress, or other act doing, touching any of the Premises, alleaging therein that the said distress, trespass, or other act, whereof the plaintife complaineth, was done by authority of the Commission of Sewers, for lot or tare assessed by y^e said commission, or for such other act or cause, as the said defendand did by authority of the said commission, & according to the tenour, purpozt, and effect of the act made. 23. H. 8. without any rehearsal of any other matter containd in the said act, or any commission, Statuts, or ordinances thereupon made, whereupon the plaintife shalbe admitted to replie, y^e the def. did take y^e said distress, or did any other act, or trespass supposed in his declaration of his owne wrong, without any such cause alleaged by the said def. wherupon the issue in euery such action shalbe toynd, to be tried by verdict of xii. men, & not otherwise, as is accustomed in other personal actions. And vppon the trial of y^e issue, y^e whole matter shalbe geuen on both parties in euidence, according to the truth of the same. And after such issue tried for the defendand, or nonsuit of the plaintife after apparance, y^e same def. shal reconer treble damages by reaso of his wrongful veration in y^e behalf, wth his costs also in that part sustained, & that to be assessed by the same Iurie, or writ to enquire of damages, as the case shal require. 23. H. 8. 5.

Auowzie or iustificacion for a distress take by reason of the commission of Sewers.

Damages for the defendand.

14 ¶ Euery of the said Commissioners, shal haue iiii. s. for euery day that they shal take payne in the execution of his commission of Sewers. And one Clerke by them assigned ii. s. for euery day, of y^e rates, taxes, lotts, & waines y^e shalbe assessed or lost, by authority of the said commission, & to be leued & paid by their discretions. And the said Commissioners or vi. of them, shall haue authority to assigne of the same rates &c. such reasonable summes of money to the said Clerke for writing of books, & proces concerning y^e premises, & to the Collectoꝝs, Expenditoꝝs, & such other as shal take paine in the due execution of the said commission, as by the said Commissioners or vi. of them shalbe thought reasonable. 23. H. 8. 5.

The Commissioners & Clerks wages.

Sewers.

No certificat
the cōmission
at Sewers

15 ¶ The said Commissioners shal not be compelled to make any certificat or reioirne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the auctoritie of any y^e said Commissions. Nor shal haue any fine, peine, or amercement, sett bypon any of them, or any waies bee molested for y^e cause. But the Clerke appointed for any such Commission shal verely truely ex- treat al y^e issues, fines, penalties, forsaitures & amerciamentes, that shalbe answerable to the Quene &c. And the same extreats shal verely deliver into y^e Eschequer, at such time, & in such maner, as Justices of the peace ought to doe, by vertue of their cōmission, bypon paine to forf. to the Quene &c. for every default v. li. 13. Cl. 9.

How long the
cōmission shal
continue.

16 ¶ Every Commission of Sewers shal continue in force x. yerres, next ensuing the date thereof, vnles the same shalbe repealed or determined by reason of any newe Commission in that behalfe made, or by Superfediās, (for the Quene shal at her pleasure by her writt of Superfediās out of her Chauncery at any time discharge as wel every such commission, as every Commissioner &c. 23. H. 8. 5.) And at al times after the ende of x. yerres next ensuinge the date of Wesse of any cōmission of Sewers, al such lawes, ordinances, & cōstitutions, as were made by vertue of any such cōmission, & written in Parchment, indented & sealed (without certificat thereof, or y^e assent Roial to the same had, as is aforesaid) shal notwithstanding the determination of any such cōmission, by y^e expiration of the terme of x. yerres, likewise continue in force by the space of one whole yere the next ensuinge. And the Justices of peace of the shire & shires where the same lawes, ordinances, & constitutions are to be executed with in their seuerall Commissions & limits, or vi. of them (whereof is. to be of the Quorum) shal haue auctoritie by the space of one whole yere next after the expiration of every such cōmission to execute the same lawes, ordinances, & constitutions, & every of them, in as ample maner as y^e Commissioners appointed in any cōmission so expired, might or should haue done, to all intentes as if the said commission had continued in force. But if any newe Commission of Sewers shalbe made within y^e said yere, then immediatly fro & after such cōmission newly made & published, y^e power of the said Justices of the peace, & every of them in any wise concerning the execution of any such lawes, ordinances, & constitutions of Sewers shal viterly cease. 13. Cl. 9.

Justices of p. in
some case shal
execute the cō-
mission of
Sewers.

Commission
within the Duchy
of Lancast.

17 ¶ As often as such Commission shalbe directed to any persons for the refozmation of, or in any of the premisses specified in the said commission, within the fees, liberties, or possession of the Duchy of Lancaster: Then such Commissioners as shal execute the same, shal be appointed by the Lord Chaunceloz, & Lord Treasoroz of Englad & the said li. chiefe Justices of either bench, & the Chancelloz of the sayd

said Duchy for the time beinge, or thre of them, whereof the sayde Lord Chauncelloz, & the Chauncelloz of the said Duchy to bee two. And in every such case, two commissions shalbe awarded, accordinge to the tenour of the commission above exprested, one thereof vnder the great seale of Englande, & the other vnder y^e scale of the same Duchie. And as often as such commission shalbe directed to any persons for the amende ment of, or in any of the premisses specified in y^e said commission, within the fees, liberties, & possessions of the principallitie of Wales, the countie palantine of Chester, or within the fees, liberties, & possessions of any other place, where there is liberty and iurisdiction of countie palantine: In every such case, ii. commissions shalbe awarded, according to the tenour of the commission above exprested, one thereof vnder the great seale of Englande, & the other vnder the vsual seale of the countie palantine, in manner & forme, as is above provided for the Duchy of Lancaster. 23. H. 8. 5.

18. ¶ The Chauncelloz, & such other as shal haue the custody of y^e seales of the said principallitie of Wales, or the countie palantyne of Chester, or within the fees, liberties, & possessions of any other place, where there is libertie & iurisdiction of countie palantine, vpon reasonable request, & vpon y^e sight of y^e commission vnder the great seale, shal without delay make out another commission vnder y^e scale of the said countie palantine, according to the tenour of the Quenes Commission to them shewed vnder her great seale, & those Commissioners as shalbe named by the Lord Chauncelloz, Lord Treasorer, & y^e ii. chiefe Iustices, or by thre of them &c. (except it be within the fees & liberties of y^e Duchy of Lancaster) wherin the commissioners shalbe named, & commissions made, as is before ordeined. 23. H. 8. 5.

19. ¶ The said Commission from time to time, as the case shall require, shalbe obtained without any money or other charge to bee paid for the seales or writing of y^e same, vnles it bee to the M. ii. s. vi. d. for the seale of every commission, & for the writing & inrolling of any one commission v. s. & not above. 23. H. 8. 5. And such & like fees, & none other, nor more shalbe at any time payed or demaunded for any commissions, & writs of Dedimus potestatem, to be sued out vnder the seale of the Duchy, as be mencioned in y^e said former act, to be payed in the Chauncerie for Commissions & writs of Dedimus potestatem, to be obtained from thence &c. 3. Ed. 6. 8.

Commissions
in Wales and
Counties pa-
lantine.

The fees for
commissions.

¶ Sheepe.

N O person shal bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, set, or receiued into any ship or bottome, any Hammes, sheepe, or lambes, or any other kind of sheepe being alive, to be conueyed out of any of y^e Quenes dominions, vpo paine that

Transporting
of Sheepe.

DD. liij.

that

Sheepe. 12

that every such person, his aidors, abettors, procurers, & cosorters, shal for his first offence forfeit to the M. & J. al his goods for ever, to be recovered &c. wherein no M. &c. C. D. &c. And further every such offender shal suffer imprisonment one whole yere without baile or mainprise, & at the yeres end, shal in some open market towne in the fullnes of the market, on the market day have his left hand cut off, and that to be naped by in the openest place of such market. 8. El. 3.

The second of
fence felony.

2 ¶ And every person feloniously offending against this stat, shal be adjudged a felon, & shal suffer death as in cases of felony. But this act shal not extend to any corruptiō of bloud, or be prejudicial to any woman claiming dowry, by or thro any such offender. 8. El. 3.

No person shall
keepe above
2000. sheepe.

3 ¶ No person shal keepe, occupie, or have in his possessiō, in his owne proper lands, nor in the grounds of any other, which he shall have or occupie in ferme, nor otherwise have of his owne proper catel in use, possession, or propertie by any manner of meanes, or couin, above the nūber of two thousand sheepe at one time, wthin any part of this realme, of al sorts & kinds, (al waies accompting by score to 100. & 100. such hundreds to 1 thousand) upon paine to forfeit for everie sheepe that any person shal have or keepe above the number limited by this act. iij. s. iij. 1. to 1 M. & J. &c. to be rec. by M. J. &c. wher in no M. C. D. &c. But Lambes under the age of one whole yere, & as much as shalbe from the time of the falling of them, unto 1 feast of the Nativite of S. John Baptist, shal not be take for sheepe prohibited by this statute. 25. H. 8. 13.

Lambes.

Sheepe com-
ming by execu-
torship or ma-
riage.

4 ¶ If any person having sheepe of his owne, happen to be made executor, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall have sheepe at the time of the marriage, by reason whereof the said person shall by such meanes have above the said nūber of 11. thousand, then he shall lose no penaltie for having above the number of 11. thousand sheepe by such meanes, so 1 wthin one yere next after such advancement, he do put to sale, or otherwise dispose so many of 1 sayd sheepe so to hym advanced, or els of his owne sheepe that he had before, so that above one yere he shal not keepe, have or occupie by any such means, or otherwise by any fraud, any more number of them, then is before limited, upon the paine before rehearsed. 25. H. 8. 13.

Sheepe given
by will to a child
with in age.

5 ¶ If any person by his last will geue to any child wthin age, any number of sheepe, and appoint them by his sayd last will to be kept by his executors, or by any other person, until the sayd child shall come to a certayne age limited by his will: Then after the death of the testator, the said sheepe so being in the possession of the executors, or of any other person to the use of any such child wthin age, for 1 time 1 he shalbe limited to have 1 sayd sheepe by 1 will of the testator,

testator, shal not be accounted against the said executor, nor anye person so hauing the sheepe, for the intent aforesaid, anye of y^e nūber of the said sheepe prohibited by this act. 25. H. 8. 13.

6 ¶ Every person being the R. temporal subiect, and bozne binder her obeisance, which shal haue or be seised of inheritance, in possession, or in vse, or that shal haue iointer in vse or in possession, or shalbe tenant in dolwer, or by y^e curtesie, of, or in any manors, lāds, tenements, pastures, feedings, or libertie of soldage, wthin anye part of this realme of England, Wales, or y^e Marches of the same, may haue, keepe, & maintaine vpon the same, his owne demesne lands, & al other his pastures, feedings, & solde courses, which hēe so hath, as many his owne sheepe & lambes, in number to his proper behouise, as he lawfully might haue had & kept vpon the same at any time before the making of this act. 25. H. 8. 13.

Each persō may kepe vpon his inheritance &c. as many sheepe as he will.

7 ¶ In case any such person hauing any such estate in vse, or in possession, of, or in any lands, tenements, pastures, feedings, or liberties of solde courses, do keepe vpon the same y^e number of 2000. sheepe or aboue, thē he shal not in any wise keepe or haue any sheepe aboue the said number of iij. thousand vpon any landes, pastures, or feedings, which hēe shal haue in ferme, or other wise, vpon paine of for. for euery sheepe beside the said number of 2000. iij. s. iiii. d. 25. H. 8. 13.

He that keperh 2000. sheepe vpon his inheritance, shal not kepe any vpon ferme.

8 ¶ In case the said demesne lands, tenementes, pastures, feedings, and liberties of solde courses, of any person before rehearsed, suffice not for the feeding, pasturing, & keeping of 2000. sheepe, then any such person may haue or fede vpon his said demesne lāds, & vpon his farme holdes (which he lawfully may haue) to the said nūber of 2000. sheepe, & not aboue, vpon paine of for. for euery sheepe aboue that number. iij. s. iiii. d. 25. H. 8. 13.

2000. kept vpon demesnes & fermes.

9 ¶ It shalbe lawfull to euery person keepinge a housholde, to haue from time to time such conuenient number of sheepe, aboue y^e number expessed in this act, as shalbe necessary for the only expences of his housholde, to be provided, kept, and fedde, in and vpon his owne landes, or other lands such as he lawfully can provide for, in farme, or other wise, so that he at no time shal haue for the expences of his household, or by colour of the same, aboue y^e number to him limited by this acte, any nūber of sheepe, moe then shal suffice for the onely expences of his housholde for one yeare without fraude or couin. 25. H. 8. 13.

Sheepe for the maintenance of house. aboue 2000.

10 ¶ It is lawfull for all spiritual persons to keepe suche, and as many sheepe vpon their owne landes, and after such manner, and none other wise, as they might haue done before the making of this act. 25. H. 8. 13.

Spiritual persons.

Sheepe. 12

*Fold courses in
Dorset & Suff.*

11 ¶ No Lord, owner, or fermor, of any libertie of fold courses, within any towne, tything, village, or hamlet, within anye of the counties of Dorset & Suffolke, shall take in ferme for terme of yerres, or other wise, any quillet of land or pasture, that is to say, any number of acres of land or pasture, appertaining to any other person or persons, lying within the limit, extent or precinct of the said libertie of the said folde course, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure & pasture the same, & also suffer the sheepe of the said owner or fermor of the said quillet, after the rate of the same quillet, to go with the floche of the owner, fermor, or occupier of the said libertie, paying the customarie charges for the keeping & feeding of the same, after the rate and vse of the countrey there commonly used, without any interruption therein to be made by the said owner, fermor, or occupier of the said libertie, upon paine of forfe. for every time that any such person hauinge any such quillet that shall be disturbed of keeping or pasturing any of his sheepe is to be fed and kept after the rate of his quillet for every such sheepe. *iii. s. iiii. d.* But this branch concerninge quillits shall not be available to anye owner or occupier of any such quillet, to claime or vse any such pasture or feeding of sheepe in anye such folde courses, but only where the tenants, owners, & occupiers of any such quillits, haue, had, or might haue had heretofore, & of butte used to haue feeding in the said folde courses, by reason of their occupations of the same quillits & none other wise. And where they haue not used ne ought to haue any sheepe kept within any such folde courses, by reason of the said tenures, the owners, or occupiers of such folde courses may take such quillits lying within their folde courses in ferme, agreeing with the owners, or occupiers of the said quillits for the same. *25. H. 8. 13.*

*Within what
time the suit
shalbe com-
menced.*

12 ¶ No person shall be put to any answer, or losse of any forfeiture, by vertue of this act at the suit of any the *M.* subjects, by action, bill, plaint, information &c. except the suit be commenced within one yeare next after the offence committed, nor by reason of any presentment, action, or information at the *M.* suit, except the same be made for the *M.* within three yeares next after the offence committed. *25. H. 8. 13.*

1 In what sorte, at what time, and howe manye sheepe anye Purueyours for the Queenes house, may take at one time. *S. Purueyours. 9.*

¶ Shippes, Shipping.

*Transporting
of sh taken in
& nighly mens
ships.*

1 It shall to every of the *M.* subjectes at his pleasure to carrie and transport out of this realme, in the ships or other vessels of any

any of the subiectes also, said being with croffe sayles, al and euery kinde of Herring, and other Sea fish to be taken vpon the seas, by any of the sayd subiectes. And euery person which shal by vertue of this Act, transport any herring or other sea fishe from any porte or harborough of this Realme, to any place out of the R. dominions, shalbe free from payment of any Subsidie, Custome, or Portage money for the same fishe so transported, during y^e space of six yeres, from the ende of the Session of the Parliament begon and holden 2. Aprillis, Anno 13. Eliz. & from thence to the end of the next Parliament after the said six yeres to be summoned, & from thence duringe the R. pleasure. Anno. 5. Eliz. 5. 13. Eliz. 11. But neither the Maior, Burgeses, nor inhabitants of Kingston vpon Hull shal take advantage of this Statut, for carrying herrings or salted fish to any Portes beyond the sea. 5. Cl. 5.

2 ¶ It is not lawfull to any persō in any place within this realme to set price, make any restraint, or take or demaunde tolle, or tare of any sea fish brought into this Realme, bringe taken by any of the Quenes subiectes, in the Shippes or other vessels of the same subiectes, vpon paine to euery person offendinge contrary to the meaninge hercof, to forsayt the value of the fishe so restrained, priced, tolled, or taxed, any liberty, custome, graunt, priuilege &c. notwithstandinge. But this act shall not be prejudiciall to the Maior, Burgeses &c. or any other Officer of Kingston vpon Hull, but euery of them may take al such toll, customes, and summes of money of euery such person as is limited in an act made. 33. H. 8. 33. 5. Cl. 5.

No price shalbe set, or tolle take of fish taken in English mens shippes.

3 ¶ It shall not bee lawfull to any person to cause to be laden and carried in any bottonie, whereof any stranger or stranger's borne then be owners, shipmasters, or part owners, any things of what kinde or nature soeuer they bee, from one Porte or Cræke of this Realme, to another of the same Realme, vpon paine to forsayt all the goods so laden or carried, or the value thereof, 5. Cl. 5.

Conueying in strangers shippes from one porte to another.

4 ¶ No person shal bring into this Realme of England, or any part of the same, any wyne comming out of any of the Countreys belonging to the Crowne of France, or any woad called Tholose woad, in any other vessel, but onely in such, whereof some subiect of the Quenes &c. shalbee then onely owner, or part owner, vpon payne to forsayt all Wyne and woad brought contrary to y^e meaninge hercof (accordinge to the meaninge of a Statute made 4. H. 7. 10. concerning Wyne of the Duchie of Gascoigne & Cypen.) except that there may be brought into Wales, or any part within the Countie of Monmouth, Rochel wines 5. Cl. 5.

No frech wyne or tholose woad shalbe brought in strangers shippes

5 ¶ But

Shippes and Shipping.

Wine brought
in strangers
ships.

5 ¶ But it shalbee lawfull for any personne or persons beeinge straungers bozne, to bring perely in any ship or vessel, wherof any straunger or straungers bozne shalbe owner &c. into any of the Havens, Ports, or Townes of the Isle of Man, any Wines made in any of the Dominions belonging to the Crowne of Fraunce, and in any of the same Ports or Townes, to discharge the said wines so brought, so that there be not brought & discharged by the same straungers, in any such straungers vessels in any one yere, in, or at the said Havens, Ports, & Townes, or any of them, above C. tunnes at the most. In like maner, and vpon the same condition may straungers bozne, bring in straungers ships, any wines made in the dominions of Fraunce, into the havens, ports, and Townes of Chepstow, and Newport, in the Countie of Dunmouth, and of Cardife, Carnaruan, Bealumarie, and other ports, havens, and townes of Southwales and Northwales, or any of them, ouer and beside all Rochell wines heretofore allowed in this Act, to be brought &c. Saving to the Q. her heires &c. al such duties as she ought to haue for the sayd wines &c. 5. Cl. 5. to continue for 1. yeaeres, from the feast of Saint Michaell, An. Do. 1564. and from thence to the ende of the next Parliament.

Hoy or Plate
that not crosse
the Seas.

6 ¶ No Hoy or Plate, wherof any English subiecte is owner, from any port, creeke, or place of this realme of England, or any of the dominions of the same, shal traueise or crosse the Seas, in, to or from any of the ports beyond the Seas, with any wares, goods, or marchandize vpon paine to forfeit the same Hoy or plate, wyth al and euery the munition, tackling, and other necessities pertainginge therunto, to the Q. and Informer, to be recovered by action, information &c. wherin no Waiger, Cessoine, Protection &c. 1. Cl. 13. 13. Cl. 15. to continue vntil the end of the next Parliament.

Ankerings
the sea in
fishing time.

7 ¶ No person vsinge any ship, boate, or vessel called Catche, Monger, or Picarde, or other vessel of like vse, shall in the tyme of common fishing vppon the sea coastes of Suffolke, and Suffolke, betwene the xiiii. day of September, and the xiiii. day of November, from Sunne setting to Sunne risinge, anker vpon the mayne Sea, or in the common streame or trade of fishinge, where the fisher men vse to driue, vpon paine to forfeit their Catch Monger, Picard &c. with the tackle and al the fishe in the same or the value thereof, the one halfe to the Q. her heires &c. the other halfe to the Bailiffe, Burgesse, and comminaltie of great Parmouth, to be employed to the recompensinge damages to the partie, whose Pettes shalbe cut, and to the building and repairinge of the decayed Haven there, and to be taken by way of seisure, or otherwise to be recovered by A. J. &c. 13. Cl. 11.

I That

1 That a Denizen vvhich shippeth any goods in a Caricke or Galley, shall paye all Customes, and Subsidies as an Alien. S. Customes. 2.

2 That a Ship shalbe forfeited wherin is transported any Fugitive, Golde or Siluer, without the Q. licence. S. Fugitiues. 1.

3 Where, in vvhhat case, and in what maner it shalbee lawfull for the owner of a Ship or a Shipwright to take an Apprentice. S. Laborers. 30.

4 At vvhhat time and place the Master of a Ship shal receiue & discharge his loading. S. Marchants. 5. 6.

5 That a Master of a Ship shall geue notice to a Customer of his loading, time of departing &c. S. Merchants. 7. 8.

6 That the Master of a Ship shal not permit any Brasse, Mettal &c. to be transported, but shal disclose the same. S. Brasse. 3.

7 That a ship shalbe forfeited vvherein is transported Corne, Beere, Butter, Cheese, Herringe, or vvhod, vvythout lycence. S. Corne. 1.

8 In vvhhat case a Ship shalbe forfeited, wherein is transported any Leather, Tallovv, or ravve hydes. S. Leather. 33.

¶ Shiriffes.

NO man shalbe Sherife in any Countie, except hee haue lande sufficient in the same Countie, to aunswere the Quene and her people. 9. Ed. 2. 2. Ed. 3. 5. 4. E. 3. 8. 5. Ed. 3. 5..

2 ¶ No Steward or Bailife of any great Lorde, shalbe made sherife, except he be put forth of service, but such a sherife shalbe appointed which may wholly attend to serue the Quene & her people Lincoln. 9. Ed. 2.

3 ¶ Every sherife within England shal dwell in his proper person within his bailiweke, for y^e time that he shalbe officer. 4. H. 4. 5.

4 ¶ No Sherife, vnder sherife, or Sherifes Clerke, shall remaine in his bailiweke or office aboue one yere, & after that yere, an other fit & sufficient person shalbe ordained in his place. 14. Ed. 3. 7. 42. Ed. 3. 9.

And none that hath ben sherife of anye Countie one whole yere, shalbe appointed sheryfe of that Countie by the space of thre yeres next ensuing, if there be any other sufficient of lands and goods in the same Countie to aunswere the Q. & her people. 1. R. 2. 11.

(The vnder sherifes, and all other Officers within the cite of London, the vnder sherife, and all other officers of Sherifes within the shire of the Towne of Wyke. 6. H. 8. 18. and suche counties in which any persons at the tyme of the foresayde statute made, hz. 25. Februaris. Anno Do. 1444. were inheritable to the office of sherife, and the letter & patents made to them of the office

A Shiriffe must haue sufficient land.

Such shalbe shirifes as may attend.

The sherife shall continue within his Countie. None shalbe shirife or vnder shirife aboue one yere.

Sherifes.

of Sherife, vnder Sherife, & Sherifes clerkes only except. 23. H. 6. 8.) And if any Sherife, vnder Sherife, or Sherifes clerke, do occupie the office of Sherife, vnder Sherife, or Sherifes clerke, contrary to the foresaid statutes, or contrary to the effect or intent of any of them (except before excepted) then he shal forfeit C. pound yearly as long as he doth so occupie. And every pardon made for such offence, occupation, or forfeiture of the summes before recited, shalbe void. And all patents to be made of any of the sayd offices, for terme of yeres, for terme of life, in fee simple, or in fee taile, to anye of the D. liege people, (except before excepted) shalbe void, notwithstanding anye clause or sentence of Non obstante put in such patentees. And whosoever doth take vpon him to receiue, or occupie the said office of Sherife, by vertue of any such grants or patents for terme of yeres, for terme of life, in fee simple, or fee taile, shalbe for ever disabled to be or beare the office of Sherife in anye County in Englande. And whery of the D. liege people which will, may sue for the said summe forfeited against him which doth for. the same, in an action of debt in his owne name, and the D. shal haue the moitie of al that which is recovered, and he that sueth the other. 23. H. 6. 8. But every olde Sherife of every County, hath full authoritie as wel lawfully to execute and returne every writ, precept, or warrat in every of y^e Quenes Courtes of recorde at Westmynster deliuered to him, as to doe & execute every other thinge which to the office of Sherife lawfully pertaimeth, at al times during Michaelmas terme, & Hillary terme, vntlesse he be before the same time lawfully discharged of his occupation of Sherife wout sustaining any damage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

Patents of
Sherifewike.

Where a Sherife
may occupie a
house one yere.

The Sherife shall
not let his countie
writably
writhe to ferme.

5 ¶ No Sherife shall let to ferme in any manner bys Countie, nor anye of the Bailiwikes, hundreds, nor wapentakes. And the Sherife (among other articles comprised in his othe) shalbe from time to time sworne, that he shal not let his Baylywike to ferme. 4. H. 4. 5. 23. H. 6. 10.

6 ¶ No Sherife, vnder Sherife, Bailife of franchise, nor anye other Bailife, by occasion, or vnder colour of his Office, shall take any other thing by them selues, or by any other person to their vse, or profit, of any person by any of them arrested, or attached, nor of any other for them, for the omitting of any arrest or attachment to be made by their bodie, or of any person, by any of them by force or colour of their Office arrested or attached, for fine, fee mayne, pryse, letynge to bayle, or for shewing any ease or fauour to anye such person so arrested, for their rewarde or profite, but such as shalbe to weth. by. the Sherife twentie pence, the Bayliffe which maketh the arrest or attachment fower pence, and the Gayler (if y^e prisoner be

The Sherife and
his bailiffs fees
for arrests.

be committed to his warde) four pence. 23. H. 6. 10.

7 ¶ The Sheriffe, vnder Sheriffe, Sherifes Clerke, Steward or bayliffe of franchise, seruant to bailiffe, or Coroner, shall not take by colour of his Office, by him selfe, nor by any other person to his vse, any thing of any person for the making of any retorne or panel. And for the copy of a panel liti. d. 23. H. 6. 10.

The Sheriffs duty for making a copy of a panel.

8 ¶ The Sherifes, and al other Officers and Ministers aforesaide, shall let out of prison, all manner of persons by any of them arrested, or beinge in their warde by force of any writte, byll, or warrant, in any action personall, or by reason of any indictment of Trespas, vpon reasonable suertie of sufficient persons havinge sufficient within those Countiees where such persons bee so let to bayle or mainprise, to keepe their dayes, in such places where the sayde writtes, billes, or warrantes doe require, (onely except those persons which shalbe in their warde by condemnation, execution, Capias vilagatum, or Excommunicatum, suertie of peace, and all such personnes which shalbe committed to warde by the speciall commaundement of any Justice, and vagabondes &c.) But if the Sherifes retorne vpon any person Capi corpus, or Reddidit se, they shalbe chargeable to haue the bodyes of the sayd persons at the dayes of the Returnes of the sayd writtes, billes, or warrantes, in such manner as they were chargeable before the makinge of this Act: 23. H. 6. 10.

Bayling of prisoners, &c. persons arrested

9 ¶ No Sheriffe, nor none of the Officers, or Ministers aforesayd, shal take or cause to be taken or made, any Obligation for any cause aforesaid, or colour of their office, but onely to them selues, of any person, nor by any person which shalbe in their ward, by course of the lawe, but in the name of their Office, and vpon condition written that the sayd Prisoners shal appeare at the day containyd in the said writte, byll, or warrant, and in such places, as y^e said writte, billes, or warrants shal require. And if any of the said Sherifes, or other Officers aforesaid, take any obligation, in any other forme by colour of their Offices, it shalbe boide. And he shal take no more for the making of any such obligation, warrant, or pcept by him to be made but liti. d. 23. H. 6. 10.

The Sheriffs returning Capi corpus, vel Reddidit se.

Obligation for apparance.

10 ¶ Every of the said Sherifes shall make yearely a deputye of record in the D. Courts of Chauncery, Kings Bench, common place, and in the Eschequer, before that they shal retorne any writte, to receive al shanked of writte, and warrants to be deliuered vnto the. 23. H. 6. 10. And every Sheriffe of every the xlii. Countiees in Wales, & of the Countiees palantine of Lancastier, Chester, and the Citie of Chester, shal haue in the Kings Bench, and common place, one sufficient deputye at the least. 5. Ed. 6. 26. S. Exigent. 7.

The Sherrife of every shire shall make a deputy in every Court.

Sherifes.

Forfeitures.

*wardens of the
fl. re. & of the
palace at West-
minster.*

*The order of in-
dictments take
in sherifes
Turnes.*

*Indictments ta-
ken in the she-
rifes turnes
shalbe deliue-
red to the Just-
ices of peace.*

*Justices shal a-
ward proces a-
gainst those*

II ¶ All Sherifes, Under Sherifes, Clerkes, Bailifes, Cailloz, Coroners, Stewards, Bailifes of franchises, or any other officers or ministers, which do contrary to this foresaid ordinance made 23. H. 6. 10. in any point of the same, shall lose to the partie in this behalf indamaged or greued, his treble damages, and shall for. xl. li. at every time that any of them do the contrary in any point of the same, wherof the *N.* shal haue the one halfe to be imploied onely to the vse of her house, and the partie that will sue the other halfe, But the Warden of the Fleete, and of the *N.* Balace at Westminster for the time being, shal not be preiudiced by this ordinance in his dutie of his office. 23. H. 6. 10.

12 ¶ Sherifes in their turnes and other wise, when they haue to inquire of malefactors by the *N.* commaundement or by vertue of their office, shal make such inquisitions of those offenders by twelve lawful men at the least which shal put their seales to those Inquisitions (and the roll of the inquisition shalbe indented, wherof one part shal remaine with the indictors, and the other with the Sherife or other which taketh the Enquest, so that the indictment, shal not be imbeciled 1. Ed. 3. 16.) And if the Sherifes do imprison any other then those which be indicted by such inquisitions, they which so be imprisoned shal haue their action of false imprisonment against the Sherife as they should haue against any other person which should imprison them without warrant. And the foresaid ordinance provided for Sherifes shalbe obserued of every Bailife of libertie, 2. 13. Ed. 1. 13. But if any indictments or presentments shalbe taken before any Sherifes of Counties, their under Sherifes, Clerkes, bailifes or ministers at their Turnes, or lawdaies, they nor none of them haue power to attache, arrest, or put in prison, or to leue any fines or amerciamentes of any person or persons, so indicted or presented by reason or colour of any such Indictment or presentment, nor to take of any such persō so indicted or presented any fine or ransome, but they shal bring and deliuer al such indictments and presentmentes to the Justices of peace at their next sessions of the peace, that shalbe holden in the countie where such indictments and presentments shalbe take. And if any of the said Sherifes, under Sherifes, Clerkes, Bailifes, and their ministers do not bring, deliuer, & present al such indictments or presentmentes so taken before them in their turnes, or lawdaies, at such sessions of the peace before the said Justices of peace, When they and every of them that so shal saye therof, shal forfait to the *N.* xl. li. at every time that they or anye of them doth contrary. 1. Ed. 4. 2.

13 ¶ The said Justices of peace haue authoritie to award proces upon al such indictments & presentments, as the law doth require, and

and in like forme, as if the same were taken befoze the said Justices in the said county, And also to arraigne, and deliuer al such persones so indicted & presented befoze the sayd Sherifes vnder Sherifes, their Clerkes, Bailifes, & ministers, o2 any of them, in their said turnes o2 lawe daies. And every person to which shalbe indicted o2 presented of trespas, shal make such a fyne as shal seme lawfull by the discretions of the same Justices. 1. Ed. 4. 2.

which be indicted in the Sherifes turne.

14 ¶ The estreats of the said fines & amerciamentes shalbe indrolled, and by indenture deliuered to the said Sherifes, vnder Sherifes, their Clerkes, Bailifes, o2 ministers, o2 some of them, to the vse and profit of him that was Sherife in the said countie, at the time of such indictments, o2 presentments taken. And if any of the said Sherifes, their vnder Sherifes, Clerkes, Bailifes, o2 Ministers, do arrest, attach, o2 put in prison, o2 cause any fyne, o2 raunsome to bee taken, o2 leue any amerciament of any person so indicted, o2 presented, by reason of any such indictment, o2 presentment, taken befoze them at their turnes, o2 lawdayes, befoze y they haue proces from y sayd Justices of peace, o2 estreats deliuered out of the said indictments o2 presentments: Then the said Sherife which so doth, shal forf. C. li. the one halfe to be employed to the expences of the Quenes house, & the other to the partie indamaged which shal haue an A. of debt at the comon lawe, and like proces as in an action of debt, wherin no

Estreats redeliuered to the Sherifes by the Justices.

15 ¶ But this act doth not extende to the Sherifes of London, concerning any indictments o2 presentments taken within the said City, nor to any person which hath graunts of any fines o2 amerciaments by any letters patents of any of the Quenes progenitozs, bearing date befoze the 1. day of December. An. 1. Ed. 4. & An. Do. 1461. nor to any person having any liberties o2 franchises by any of y said letters patnts o2 in any other manner by prescription. 1. Ed. 4. 2.

Sherifes of London Grauntees of fines.

16 ¶ No Sherifes, vnder Sherifes, thire Clerkes, neither any person in their names, nor by their commaundement, shall take and enter any plaintes into their booke, in any mans name, vnlesse the partie playntife bee in proper person present in the courts. o2 els by a sufficient attorney o2 deputie that is knowen to bee of good name and disposition. And the same plaintife shall finde pledges to pursue his said plaint, such persons as are knowne there in that countie and the plaintife shal haue but one plaint for one trespasse, o2 contract, and if the said Sherifes, vnder Sherifes, thire clerke, take, entre o2 cause to be entered, any moe plaintes then the plaintife suppoeth that he hath cause of action against the defendaunt: Then the sayd Sherife, vnder Sherife &c. that offendeth, shall forfayt for every default x. s. to the Quene and J. &c. to be recovered in the Eschequer.

No plaints shal be entered but where the pr or his attorney is present.

Plegij de proses quando.

Entering of moe plaints the pr hath cause of action

Shiriffes.

**Examination
by the Justices
of peace.**

And ouer that the Justices of peace in the same countie, and every of them, haue auctoritie vpon complaynt made by the party so lawfully graued, to examine the sayd Sheriffes, vnderherifes, or Shireclerke, and plaintifes, And if they or one of them finde by the examination default in the sayd Sheriffe &c. in enteringe of the layde playntes deceyffully for his aduantage, contrarie to thys acte, Then the sayd Sheriffe &c. shalbe conuict and attaint of the same offence, without further enquire, and hee shal forsaite vpon y^e same examination forty shillinges to the Quene for euery default, and the said Justices y^e so shal take the examination, shal certifie the same within a quarter of a yere, into the Exchequer, vpon paine of xl.s. 11. H. 7. 15.

**Execution of
precepts by
Bailiffes.**

17 ¶ The sayd Sheriffes, vnderherifes, and Shire clerkes, shall make or cause to be made a sufficient precept to the bailiffes of the hundredes, to attach, summon, and warne the defendants that are so in suit, to appeare & aunswere to the sayd playnts. And if there be any default in the said bailiffes, in warning of the said defendants, or in executinge their office, then the same bailiffes shal for. for euery default to the Quene xl.s. and bee attaynt thereof by like examination of the Justices of peace or euery of them, as is befoze rehearsed. 11. H. 7. 15.

**Two Justices
shal view the
Sheriffs estreats**

18 ¶ Sheriffes, vnderherifes, Shire Clerkes, & their deputies shal make none estreates, to leuie the said Sheriffes amerciaments, vntill two Justices of peace, (whereof one shalbe of the Quorum,) haue had the view & oversight of their bookes, and that the estreats be indented betwixt the said Justices and the said Sheriffes, & vnderherifes, and sealed with their seales, the one part to remaine with the said Justices, and the other part with the said Sheriffes or vnderherifes, for y^e intent to vnderstand if any deceit or vnttrue demeaning be in them in making of their bookes. 11. H. 7. 15.

**Bailiffes shalbe
sworne to ga-
ther but what
is due.**

19 ¶ Those persons which shalbe gatherers of the same amerciaments, as bailiffes, or other officers, shalbe sworne by y^e sayd Justices, that they shal take no moze money then is forsaited and contained in the said estreates sealed with the seales of the said Justices, vpon the same paine of forsaiture as befoze is rehearsed, thereof the same gatherers to be conuict by examination of the Justices, or one of them &c. 11. H. 7. 15. Neither shal any Sheriffe be charged to leuie any issues, nor shal leuie any befoze the same go out of y^e Exchequer by estreats. And euery man shalbe charged of those issues forsaited, as wel as of amerciaments. And if the Sheriffe wil returne the issues of any recognisoz, pledge, or mainperno, which at the time of the returne, was not sufficient to aunswere the said issues & amerciaments, the Sheriffe him selfe shal aunswere, & shalbe therewith charged in the Exche-

**The Sheriffe shal
execut his war-
rant & no moze**

Eschequer. And if the Sherife returne þ names of any malnpernoꝝ, turoꝝ, oꝝ other but according to þ tenoꝝ of the wꝛits to him directed, oꝝ do returne þ names of any pledges, except þ sãe pledges do ther unto cõsent, he shalbe greuously punished. 27. Ed. 1. stat' de finibus.

20 ¶ The Justices of peace shalbe appoynted and named at the general seßiõs after þ feast of S. Michael, by him þ is Custos rotulorum of the said countie, oꝝ els by the eldest of the Quorum in hys absence, to haue the ouersight and controulment of the said Sherifes, vnder Sherifes, and shire clerkes, & other of the said officers, & of the said shirifes amerçiaments. And the said Justices of peace vpo suggestion oꝝ infoꝛmation of the þ. græued, shal make like pꝛoces, as in an action of trespass against þ said shirifes, vnder shirifes, oꝝ shire clerkes, & other the foresaid officers misdoemeaning as is also esaid, soꝝ to appeare befoze the to aunswere to the said suggestion, oꝝ infoꝛmation. 11. H. 7. 15.

Justices assign-
ed to ouersig
the shirifes
clerkes.

21 ¶ No person hauing, vsing, oꝝ exercising the office of the Sherife of any countie, oꝝ counties, shal exercise the office of the Justice of the peace, by foꝛce of any commission, oꝝ other wise, in any countie oꝝ counties where he shal be shirife during the time only that he shal be oꝝ exercise the said office of shirifwike, & enery acte done by au- thoritie of any commission of the peace during the time abouesaide shalbe boide. 1. H. 1. Parliament. 8.

No shirife shall
be Justice of
peace in the sãe
countie.

22 ¶ If the shirife of any shire (beinge no Citie oꝝ towne made shire) do not win two moneths after he hath receiued hys patent of shirifwike, appoint and pꝛoclaim in the shire towne. i. iij. deputies at the least, one dwellinge not aboue twelue miles distant from an other, in the shirifes name to make repleues and deliuerance of distresses in such manner and soꝛme as the shirife may oꝝ ought to do, he shal soꝛ. soꝝ every moneth that he shal lack such deputies v. li. to the D. & J. to be recovered by A. J. &c. whereto no W. C. D. &c. 1. & 2. H. 4. 12.

Lower depu-
ties to make
repleues.

13 ¶ If any shirife, Eschezoꝝ, oꝝ other officer of the Quænes do seise the landes, goods oꝝ cattels of any man, surmising that hee is outlawed, because hee is of the same name that some other person is which is outlawed, the partie shall haue a writte of Idemptitate nominis, and shall finde suertie to the shirife, oꝝ other officer, which hath warrant to seise, to aunswere to the Quæne the value of the goods oꝝ cattels, in case he cannot discharge hym selfe, wyth- out any thing therfoꝛe paying. And if the shirife oꝝ other officer &c. doth not take the same, the party græued may haue his suit against hym, and recouer his double dāmagēs. And also the said officer shall receiue græuous punishments at the Quænes handes. 37. Ed. 3. 2.

Wrongful sei-
sure of an other
mans land, oꝝ
goods.

And the wꝛit of Idemptitate nominis is maintainable soꝝ the execu-

Idemptitate no-
minis.

Shiriffes.

fozs of euery testatoz, as wel as the same action was befoze main-
tenable by the person him selfe which was molested by cause oꝝ co-
lour of any outlawrie. 9. H. 6. 4..

Juries to in-
quire of the de-
ray of tillage.

24 ¶ If the cōmissioners, oꝝ two of them at the least to whom
an 2 commission vnder the great seale of Englande shalbe directed
into any shire within England oꝝ Wales, to enquire of any offen-
ces done contrarie to the statutes made foꝝ y^e mayntenance of Till-
lage. 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. Cl. 2. oꝝ any of them do dy-
rect their pzecept to the Sherife of any countye within the limits of
their cōmission to warne as many honest men of his bayliwike as
the sayd commissioners shall appoynt to enquire, and pzelement
make of the offences done contrarie to any of the said actes. And if
the Sherife to whom such pzecept shalbe awarded, shalbe neglygent
in seruing of the said pzecept, and returning of the same, at y^e time &
place appointed in the said pzecept: Then the commissioners oꝝ fo-
wer of them, shall foꝝ every such default, asseſse bpō the Sherife. x. li.
and shal estrete the same into y^e Eschequer. But the Sherife, vnder
Sherife, oꝝ his deputie, may not enter into anye franchise oꝝ libertie
to execute the sayd pzecept, but make his Mandatum to the baylyfe
thereof foꝝ the seruinge of the same, If whych baylyfe doth not hys
duette in the executing of the same as the Sherife ought to do, he shal
fozf. v. li. 5. Cl. 2. 14. Cl. 11.

Enquire of sto-
ned hoxses.

25 ¶ Every Sherife in anye shire of this Realme, shall doe hys
diligence to search and knowe by vertue of hys office, all defaultes
committed by any personnes in lackinge of stoned trotyng hoxses,
contrarie to the statute made 33. H. 8. as shall happen within the
shire where he is Sherife. And shal once in the yere, vꝝ. in the terme
of Saint Michael, certifie the saide defaultes if any be, into the Es-
chequer, by wrytting vnder his seale, to the intent that pꝛoces may be
made against the offendoꝝs. And euery such certificat of the Sherife,
shalbe of as good effect against the offendoꝝs, as information there-
of made in the Eschequer. And in case any shalbe convicted bypon
such certificat, by confession oꝝ tꝛyall, accoꝝdyng to the course of the
common lawe, then the Sherife makinge such certificat shall haue
one moytie of the foꝝfature, and the Quene the other. 33. H. 8. 5.
S. Hoxses. 10.

The Sherife shal
not seise the
goods of a py-
soner vntill he
be attainted.

26 ¶ If any Sherife, vnder Sherife, Eschetoz, baillife of franchise,
oꝝ other person do take oꝝ seise the goods of anye person arrested and
imprisoned, befoze the same person be convicted oꝝ attapnted of fe-
lony accoꝝdyng to the law, oꝝ that the same goods be otherwile law-
fully foꝝfated, he shal pay to the p. græued the double value of the
goods so taken oꝝ seised, to be recovered by A. of debt, wherein no
M. C. D. & c. 1. R. 3. 3.

27 ¶ Hundreds, bz. bailifes of hundzeds, which bee knowen and swozne in þe ful countie, shal make execution of al writs which come to the Sherife & none others (except it be in the great default or notorious disturbance of the hundzeds) and then other persons which be comientent and swozne, shal make execution, so that the people may alwayes knowe to whom to resort for such execution (saupnge the returne of writs to them which of right ought &c. And the same hundzeds shalbe credible persons, & shal haue lands sufficient in þe same hundzed or in the countie where the hundzed is, so that they shal not neede to vse extortion, Lincolne. 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 5. 4. Ed. 3. 8. And the Sherifes shal place such baylifes for whom they wil aunswere. And so shal those Lordes which haue hundzeds & wapentakes in fee. 14. Ed. 3. 9.

Baylifes of hundzeds.

28 ¶ They which be Sherifes bailifes one yeaere shall not bee in any such office by the space of thre yeres next ensaing, except þe baylifes of those Sherifes which haue inheritauce in their Sherifewikes. 1. H. 5. 4.

Sherifes, baylifes shall not be in that office iii. yeres after.

29 ¶ The Sheriffe shal haue counter roules with the Coroner as well of appeales, as of Enquestes of attachementes, and other thinges which do belonge to the Coroners office. Westm. 1. 3. Ed. 1. 10. But no Sherife, Constable, Eschetour, Coroner, or any other Bailiffe of the Quenes, shal holde pleas of the Crowne, Magna charta 17.

Counter roules with the Coroner.

30 ¶ Where the Sherife ought to returne the Quenes writ to a bailiffe who hath right to returne the writ, if the Bayliffe of the franchise do not make deliuerance of cattel impounded after the Sherife hath made the returne vnto him, the Sheriffe shall do his office without delay, vpon paine of forf. of double damages. Westm. 1. 3. Ed. 1. 17. Marleb. 52. H. 3. 21.

Deliverance of cattel by þe Sherife vpo default of the bailiffe of libertie.

31 ¶ All Sherifes and Bayliffes of liberties and fraunchises shal truly serue, and execute such proces as shal come to their hāds from the Justices of peace, befoze whom any presentment shalbee had for any annoyauce of Bydges, according to the tenour and effect of the said proces to them directed, without fauour, affection, or corruption vpon paine to make such fine as shalbe set vpon them, or any of them by the said Justices. 22. H. 8. 5.

Executing of proces awarded for the repairing of bydges.

32 ¶ The Quene her heires, & successours, Kinges or Quenes of this Kealme shall and may verely choise, and make for euery of the counties of Essex and Hertford, Somerset and Dorset, Warwike and Leicester, Nottingham and Darby, Cron and Bark. one sufficient and able person to bee Sheriffe of the same, in such like manner, as is and hath bene vsed to be made for any other County wīn this Kealme. And euery person which shalbee appointed Sheriffe

Sheriffes to be deuided.

Sherifes.

for any of the said countie shalbe accomptable, and bled in the order of his accompt, and al other things and allowance to him made in y^e Eschequer and al other Courtes, and places, in such manner and fourme, as is commonly bled for sherifes in like cases. An. 8. Cl. 16. 13. Cl. 22.

But halfe the charge shalbe paid for therif. with a, devided.

33 ¶ No Sherife chosen and made of any one of the foresayd counties, shal pay in any court of record for any duety belöging properly to y^e office of therife, any other fees, or charges then only y^e one halfe of the charges & fees which he should be cöpelled to have payd. if he had ben therife of two of the said shires and counties, as befor the making of this act was bled. 8. Cl. 16. 13. Cl. 22.

34 ¶ Per sta. 7. R. 2. 6. Every Sherife of England ought in proper person to make proclamation of the statut of Winchester provided 13. Ed. 1. against homicides, burninge of houses, robberies, & other felonies, sower times in every yere, in every hundred of hyr bayliwike, and by his baylifes in every market, as well within liberties as without.

Bailifes of liberties.

1 That every stat^{ut} provided for sherifes shal extend to baylifes of liberties. S. Franchises. 1.

Redisseisin.

2 For the sherifes duetie in executing the vvrit of Redisseisin. S. Redisseisin. 2. 3.

Repleynyng a distresse.

3 For the sherifes duetie in repleuynge of a distresse, and taking band for prosecuting the suit, and makeinge of returne. S. Repleuin 1. 3.

Riots.

4 For the sherifes duety in recording and certyfying of Riots. S. Riots. 1. 3.

Returns

5 For the returnes of Sheriffes and Baylifes of liberties. S. Returne of Sherifes.

Estretes

6 That the sherife must shevve to the party indebted the estretes sealed, & vpon the paiment, tot the same. S. Estretes 1.

Amerciamentis

7 That amerciamentes for insufficient returnes by stevvardes of bailifs of liberties, shalbe set vpon their heads, & not vpon the sherifes. S. Franchises. 3.

Attorney

8 That no vndersherifs, sherifes clerke, receiuor, or bailife shal be attorney. S. Attorney. 7.

Counterfaiting waights.

9 That sherifes may enquire of counterfaiters of false waights & punish them. S. Waights. 13.

A womā's writ

10 VVhat a sherife shal forf. which doth not execute a writ to him directed at the suit of a vvoman vvchich is enforced to be bound by obligation or statut. S. VVomen. 14.

Queens debtor

11 That the sherife shal discharge his distresse, vvchich can find him suertie to gree for the thing in demaūd, & that the sherife shall acquit the Queenes debtor of that vvchich he hath receiued. S. Accompt

compt to the Queene. 45.

12 Howve the sherifes shalbe punished, vvwhich by colour of his office doth disseise any man. S. Assise. 4.

13 In vvhat time a sherife shall array assises and deliuer the co. Array assises. S. Assise. 8.

14 ¶ What the sherife shal forf. vvwhich doth suffer an escape, Cscape. ord oth take any thing for an escape. S. Escape. 1. 2.

15 Howe the sherife shal vse a hauke which is found, taken vp, & hawkes. brought vnto him. S. Haukes. 2.

16 For the punishment of the sherife vvwhich letteth one goe vvwhich is not repleuifable. S. Mainprise. 56. Bayling an offendo.

17 For all the sherifes duetie about the electing & returninge of Knights of the parliament, Burgesses of the parliamēt, & leuying of their vvages. S. Parliament. 4. 5. 8. 12. Knights of the parliament.

18 That sherifes shal haue charge of gaoles, & of the prisoners therein, & the appointment of gaolers. S. Prison. 4. 6. Gaolers.

19 That a sherife may take out of Sanctuarie any abiured person committing felony. S. Sanctuarie. 9. Sanctuarie.

20 In vvhat case & maner the sherife vpon precepts shall go to inquire of vvast. S. Wast. 3. Enquire of wast.

21 That the sherife shal attend vpon a Iustice of peace to arrest those vvwhich make any forcible entries. S. Force. 4. Forcible entries.

22 VVhat iurours, and of vvhat sufficiencie the sherife in seuerall case shall returne, and vpon what paine. S. Iurours. 12. 13. 14. 16. 19. 20. Returning Iurors.

23 The Sherife or Baylife of liberties duetie in executinge and returning an attachement to him directed by the Iustices of peace for the attaclment of a Collector or Surueyour of prisons. S. Prisons. 2. Attachement.

24 In vvhat maner the Sherife shall make purueyance for the Queenes horses & dogs vvithin his countie. S. Purueiours. 10. Iourneyours.

25 By vvhom the sherifes in VVales shalbe appointed, their authoritie, accompt, courts, fees, &c. S. VVales. 36. &c.

26 Amercement of Sherifes for insufficient returnes. S. Returnes. 12.

¶ Silke.

NO person shal bryng, or cause to bee brought into this Realme of England to be sold, any silke wrought by it selfe, or with any other stufte in any place out of this realme, in rybandes, laces, girdles, cozzes, caules, cozzes of tiffnes, or points, bypon paine to forf. to the D. & any of her subiects that will seise the same all the same rybandes, laces, &c. in whose hands soeuer they be founde, or the value of the

These things wrought of silke may not be brought into England.

Sope vessels. Statutes & Recognifances.

of the same. But it shalbe lawfull to every person, as wel a stranger as other, to bring into this realme al other maner of silkes, as well wrought, as rawe or unwrought, to sel at his pleasure. And it shal be lawfull to al persons that haue any such rybandes, laces, girdles, caules, coyses of tissues or poyntes wrought beyond the sea brought into this land by the Quenes licence, and to be solde, to make sale of the same. 19. H. 7. 21.

I Who may weare any silke in or vpon their garmentes, and who not. S. Apparel.

¶ Sope vessels.

Every Sopemaker putting to sale sope, shall cause an empty barrel to containe xxxij. gallons or above, & not to be in waight above xxvj. pounds, a halfe barrel empty not to waigh above xiiij. pounds, & to containe xvj. gallons or above, an empty firkin not to waigh above vij. pounds & a halfe, & to containe viij. gallons or above of full & iust measure, vpon paine to forfeit. for every vessel contrary iii. s. iiii. d. 23. Henrici. 8. 4.

¶ Statutes & Recognifances.

Statute marchant.

Every merchant that wil be sure of his debt, shal cause his debtor to come before the Maior of London, Mayor, or Bishopp, or before some chiefe Warden of one of these, or some other good towne thereunto assigned by the Quene, & before the Maior, chiefe Warden or other sufficient men chosen and sworn thereunto, when the Maior or chiefe Warden cannot attende, and before one of the clerkes thereunto by the Quene assigned when both cannot attende, and to acknowledge the debt, and the day of payment. And the recognifance shalbee inrouled by the hande of one of the clerkes which shalbee knowne, and the roule shalbee double, whereof one part shall remaine with the Maior or chiefe Warden, and the other with the saide clerke, and one of the clerkes with his owne hande shall writt the obligation, to which writting the debtors seale shalbe put with the Quenes seale to that vse prouyded, the which seale shalbee of two peeces, whereof the great peece shall remaine in the custodie of the Maior or chiefe Warden, and the other in the custodie of the foresayde clerkes. And if the debtor do not pay the debt at the day to him assigned, the marchant shall come to the Maior and clerke with his writting obligatoyn. And if it bee founde by the roule or writting, that the debt was knowledged, and the day of payment expired, the Maior or chiefe Wardens shal cause the body of the debtor to be apprehended (if he be a lay man) whensoever he cometh within his iurisdiction, and committed to the prison of the same towne

The seale of the Statute.

The debtor imprisoned.

to tōne (if there be a priſon) & there he ſhal remaine at his owne coſts vntill he hath agreed for the debt, & the keeper of the to tōne priſon ſhall receiue him by the deliuerance of the Maſter or chiefe warden, and if he ſhal not receiue him, the keeper of the priſon ſhall immediatlye anſweare the debt, if he haue to here with, but if he haue not where- with, he ſhal anſweare the debt which committed by keeping of the priſon vnto him. And if the debtor cannot be found within the power of the Maſter or chiefe warden :

The debtor impriſoned.

When the Maſter or chiefe warden ſhal ſende the recogniſſance of the debt vnder the Quēnes ſozſayd ſeale vnto the Chauncery, fro whence ſhal be directed a writ to the ſheriffe within whole baillywike the debtor may be found, that he ſhal take his body (if he be a lay man) and kepe him in ſafe priſon vntill he hath agreed for the debt, and within a quarter of a yere after hee is taken, he ſhal haue his landes and goodes deliuered vnto him, ſo that with them he may liue & pay his debt, and it is lawfull for him within this quarter to ſel his lands and tenements to diſcharge his debt, & his ſale ſhal be good. But if he do not agree within the quarter after the quarter of a yere expired, al the goods and lands of the debtor ſhal be deliuered to the marchant by a reaſonable extenſe, to hold vntill the debt be fully leuied, and neuertheleſſe the bodye ſhall remaine in priſon, and the marchant ſhal find him bread and water.

The ſtatute recited into the Chauncery.

Executiō of the debtors lands & goods.

And if they which do praiſe the menable goods which are to be deliuered to the credito, do praiſe them at too high a price in ſauour of the debtor, and to the dammages of the credito, the thinge praiſed ſhal be deliuered to them for the price which they haue ſet, and they ſhal immediatly anſweare the credito his debt. But if the debtor will ſay that the mouable goods were ſold or deliuered for leſſe then they were worth, thereof he ſhal haue no remedy, for that the goods were lawfully ſold to him that would offer moſt for the ſame, for he may reckon it his own folly which might haue ſold his goods before the ſuit commenced, and leuied the money to his owne handes and would not. And the merchant ſhal haue in the land ſo deliuered to him or to his assignes, ſuch ſeiſin that he may therupon bring an aſſiſe of Nouel diſſeiſin, if he be put out, & a Rediſſeiſin alſo as of his freehold, to hold to him & to his assignes vntill the debt be paid, & after the debt leuied & paid, the bodye of the debtor ſhal be deliuered with his handes. And in the writtes which ſhal be directed oute of the Chauncerie, mencion ſhal be made, that the Sheriffe ſhall certiſie the Juſtices of the one benche or the other, at a certaine day, howe hee hath perſourmed the Quēnes commaundment, at which day the marchant ſhall ſue before the Juſtices, if hee be not ſatiſfied. And if the Sheriffe returne no writte, or returne that the writ came to late, or that hee hath ſent to the bailiffes of franchises

The goods executed deliuered to the priſon.

A remedy for tenat by ſtatute merchant being put out.

S. Returne of writtes. 3.

(then

Statutes & Recognisances.

The debtoꝝ not
foꝝ a clerke

The cossees
shal haue his
costs & expen-
ces.

Suerties.

Of what lands
th' cossee shall
haue execution.

No executiō of
an infans lands

The penalty of
the statute read
befoze þ debtoꝝ.

Statutes in
Chester.

Clerke of the
stare shal haue

(then the Justices shal do according as is contained in the statute of West. 2.) And if the Sherife returne that the debtoꝝ is not founde, oꝝ is a clerke, then the merchant shal haue writtes to al the Sherifes where he hath lande, that they shall deliuer all the cattels and tenementes of the debtoꝝ by a reasonable extent, to holde to him and to his assignes in fourme aforesaid: and neuertheless he shall haue a writte to what Sherife he will, to take his bodie (if he be lay) and to hold in fourme aforesaid, and the keeper of the prison must keepe hym safely, foꝝ he shal answer the bodie oꝝ the debt, and after the debtoꝝs landes be deliuered vnto the merchant, the debtoꝝ may wel sel his landes, so that the merchant receiue no damage by the approuement. And the merchants shall haue all their necessarie damages and costs in tranel, suit, delay, & expences allowed vnto them, and if he be a merchant stranger, he shal remaine at the cosses of the debtoꝝ, foꝝ so longe tyme as he tarrieth about the suit of his debt, and vntill the goods of the debtoꝝ be solde oꝝ deliuered vnto him. And if the debtoꝝ do find pledges oꝝ suerties after the day passed, the suerties shall be bled in al respects as is aforesaid of the principal debtoꝝ, concerning taking of their bodies, luering of their lands, and other things. But so long as þ debt may be fully leuied of þ mouable goods of the debtoꝝ, the suerties shall receiue no losse. And when the debtoꝝs lands shall be deliuered to the merchant, he shal haue seisin of al þ lands which were in þ debtoꝝs hands the day of the recognisance knowledged, into whose hands so euer they do after come, eyther by feoffment oꝝ other maner. And after þ debt paid, the land & the issues of the land of those which be debtoꝝs by feoffment, shal as well returne againe to the seffees, as the other lands to the seffoꝝs. And if the debtoꝝ oꝝ his suerties die, the merchant can not take the bodie of his heire, but shal haue his lands in fourme aforesaid, if he be of full age, oꝝ when he shall be of ful age, vntil he haue leuied so much as his debt amounteth vnto. Befoze þ recognisances shall be inrouled, þ penaltie of this statute shall be openly read befoze the debtoꝝ, so that he shal not after excuse him selfe by ignorance of the paine whereunto he bound him selfe, & the M. shal haue in every towne where þ scale is to maintaine þ costs of the clerke, i. d. of every pound. Acton Burnel. 11. C. 1. de mercatoribus. 13. Ed. 1. And al recognisances of statut merchant & Acton Burnel, which shall be knowledged, inrouled, & sealed to the scale appointed to þ city of Chester befoze the Maior of the same city, in like maner as þ Maiors & other officers in þ said citie haue accustomed to take, inroule, & scale, shall be good & effectual in þ lawe. 2. Ed. 6. 31.

2 Every clerke which shall be deputed to receiue recognisances in ciities & boroughs according the stat merchant, shal abide in pꝛoꝝ pꝛ

per person to do his office, & shal haue lands sufficient in y^e same countie wherof he may answer al persons if he offed, & if there be any other in such an office, hee shalbe removed, & an other moze meete to set in his place. 14. Ed. 3. 11.

Sufficient and
dire. upon his
office.

3 ¶ Where a statute marchant is certified into the Chauncery & therupō a writ awarded to the sherife, & returned into y^e common place, & the statute thereon sheweth, howsoever the proces after this shewing be discontinued, at what time y^e partie sueth to recōtinue the proces, & to haue execution of y^e statut marchant, the Justices of the bench in which y^e statut was once shewed, may vppon the same record award & make full execution of the said statut, without hauing any other sight thereof after. An. 5. H. 4. 12.

Execution a-
warded vpon a
statut once shew-
ed in Court

4 ¶ Every Maior of the Staple hath authoritie to take recognisances of debts that a man wil knowlege befoze him in y^e presence of y^e Constables of the Staple, or one of them, & in euery Staple there shalbe a seale remayning in y^e custody of y^e said Maior vnder y^e seals of the same Constables, and al obligatiōs which shalbe made vppon such recognisances shalbe sealed wth the saie seale, paying for euery obligatiō of C. li. & vnder of euery pound ob. & of euery obligation aboue C. li. of euery pound q. And the Maior of y^e Staple by vertue of y^e same writting obligatiō so sealed, may take & hold in prison the bodies of the debtozs after the terme incurred if they be found wthin y^e Staple, vntil they haue agreed wth y^e creditor for his debt & damages, & also arrest the goods of y^e said debtozs found wthin the said Staple, & deliver y^e said goods to the said creditor according to y^e very valne, or sel the at the best he may, & deliver so much thereof to y^e creditors as the sume due, & if the debtozs cannot be found wthin the Staple, nor their goods to the value of y^e debt, that shalbe certified into the Chauncery vnder the said seale, vppon which certificat a writ shalbe directed to take the bodies of the said debtozs without lettinge them to baile, & to seise their lands, tenements, goods, & chattels. And the writs shalbe returned into the Chauncery, wth a certificat of the value of the said lands, tenements, goods, & cattels, and thereupon due execution shalbe made from day to day, in maner as is cōtained in the statute marchant, so that he to whom the debt is due shal haue an estate of freehold in y^e lands & tenementes, which shalbe delivered vnto hym by vertue of this proces, & shal recover by assise of Nouel disseisin if he be put out. But the debtoz shal haue no auantage of the quarter of a yere which is contained in the statut marchāt. But if y^e creditor wil haue no letters vnder the said seale, but will stand to y^e faith of y^e debtoz, if after the terme incurred, he demaunde his debt, the debtoz shalbe credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the Staple, do receiue any recognisance of debt against the forme afore-
said,

Statut Staple.

Execution of the
body & goods
of the debtor.

The statut cer-
tified into the
Chauncery.

Statuts and Recognisances.

said, he shal pay to the M. one halfe of the summe knowledged befoze him. 15. R. 2. 9. S. 14.

Recognisance in
nature of the
Barur Staple.

5 ¶ The chiefe Justice of the Kinges Bench, & the chiefe Justice of the common place, & every of them by him selfe, & in their absence out of the terme, & Mayoꝝ of the Staple at West. & the Recorder of the Citie of London foꝝ the time beinge, jointly together by his oꝝ their discretion, have aucthoꝝity to take recognisances oꝝ knowledges of every of the Quæns subiects foꝝ the paiement of debts, according to such foꝝme as hereafter ensueth.

The foꝝme of
the recognisance

6 ¶ Nouerint vniuersi per presentes me A. B. & C. D. Armig. te neri & firmiter obligari Iohanni at Stile in C. li. sterling. soluend' eidem Iohanni aut suo certo Atturnat' hoc scripto astédent' hered' vel executoribus suis in tal' fest' & c. prox. futur post datum presentiu. Et si defecero vel defecerim⁹ in solutione debiti prædict', volo & concedo, vel sic, volumus & concedimus quod tunc currat super me hered' et executores meos, vel super nos et quemlibet nostrum, hered' et executor' nostros, pena in statut' stapulę de debit' pro merchandisis in eadem emptis recuperand', ordinat' et prouisa. Dat' tali die, An. Regni & c. 23. H. 8. 6.

Sealing of a
Recognisance

7 ¶ And every obligation & shalbe made as is aforesaid & knowledged befoze any of & said chiefe Justices, oꝝ & said Mayoꝝ & Recorder according to this act, shalbe sealed with & seal of & party oꝝ parties & shal recognise oꝝ knowledge the same, & also wth the Quænes scale oꝝ dained foꝝ the sãe, & with & seal of one such of & said Justices, oꝝ wth the seales of & said Mayoꝝ & Recorder, & with his oꝝ their name oꝝ names subscribed & so shal take the sãe recognisance, oꝝ knowledg. & every of the said two Justices, & the Mayoꝝ and Recorder shal have the custodiy of one such seale, by & M. appointed, with one like pꝝmt, scripture, and fashyon which shal seuerally remaine with them, to & intent aboue rehearsed. 23. H. 8. 6.

Clerke of the
Statuts.

8 ¶ An honest & discrete person assigned by the M. oꝝ his sufficient deputy oꝝ deputies, shal make & wꝛit al such obligations as shal be knowledged, & recognised by aucthoꝝitie of this act, & shal cause & same being knowledged & recognised in foꝝme as is abovesaid, to be inrouled in two seueral roules indetted, wherof one shal remaine wth such of & said Justices, oꝝ wth the said Mayoꝝ & Recorder, & so shal take & sãe recognisance, & & other with the wꝛiter therof, appointed foꝝ & same. And & said person appointed foꝝ making, wꝛiting, & inrouling of such obligations, oꝝ his sufficient deputie oꝝ deputies, shalbe dwelling oꝝ abiding in & City of London, vpon paine to foꝝfalt foꝝ everye tyme that he & his deputie shalbe absent by the space of two daies r. li. And the said person so appointed, oꝝ his sufficient deputie oꝝ deputies, at the request of the creditoꝝ, their executors oꝝ administra-
tors,

toys shall certifie such obligations as shalbe taken & recognised by aucthoritie of this act, into the Chauncery, vnder the scale of y^e person so appointed &c. 23. H. 8. 6.

9 ¶ Every person & persons to whom any such obligatiō shalbe made, knowledged, & inrolled as is aforesaid, their executoys & administrators, and the executoys and administrators of every of the, for default of payment of the debtes contained in suche obligations, shal haue in every point, degree, & cōdition against the said recognisoy & recognisoy & every of the, their heires, executoys, & administrators, & y^e heires, executoys, & administrators of every of them, like proces, executiō, cōmodity & advantage in every behalfe, as hath ben used & accustomed before this time to be had, done, or made of & vpon any obligatiō of y^e statute of the staple, & vnder such maner & forme as is for y^e said stat of y^e staple provided, paying for such proces & execution to be had, such lyke fees as is accustomed for proces and execution to be had vpon obligatiōs of the same statute of y^e staple, & not above. 23. H. 8. 6.

Executiō vpon a recognisance.

10 ¶ Every such person & persons y^e shalbe bounden or otherwise graued by vertue of any obligation made by aucthoritie of this act, shall haue their like remedy by Audita querela & all other remedies in y^e lawe, that they mought haue had in case they had ben bound by obligatiō of y^e statute of y^e staple. 23. H. 8. 6.

Audita querela.

11 ¶ Every person y^e shal haue proces for execution to be had, by reaso of any obligatiō to be made & knowledged accordig to this act, shal pay to y^e M. &c. at y^e sealing of y^e said proces, ob. for every poūd, y^e shalbe contained in y^e obligation, whereof execution shalbe required, & not above. 23. H. 8. 6.

The Queene shal haue ob. in the li. vpon execution lued.

12 ¶ Every such person & persons y^e shal haue execution of any lands, tenemēts, or hereditamēts, by reason of any such obligation, made, & knowledged, as is aforesaid, & their executoys, administrators or assignes, & the executoys, administrators & assignes, of every of the (if they or any of them be put out, or disseised) shal haue like remedy in every condition, as persons having execution, in, & vpon any statute of y^e staple, after execution to the had, may or might haue, by vertue of y^e said witting obligatoys of the stat of the staple, & execution of the same, 23. H. 8. 6.

The remedy for tenāt by recognisance being disseised.

13 ¶ Every of the sayd Justices, and the sayd Mayor & Recorder before whom any such obligations shalbe recognised, shall take for every knowledge of every one such recognisance. iij. s. iij. d. & not above. And y^e Clarke that shall write, make, & inroule the same iij. s. iij. d. And for the certificat of every one such obligation xx. d. And if any of the said Justices, Mayor, Recorder, or Clerke, take of any of the Quēnes subjects above the summe or summes to them limited

The Justices & Clerkes for vpon every recognisance.

ted

Steele. Suggestion.

ted by this statut: Then y^e said Justices, Maior, Recorder, or clerke, that shal take contrary to the forme aforesaid, shal forfeit for every time so offending to the D. & J. xl. li. to be rec. by A. J. &c. wherein no W. &c. C. D. &c. 23. H. 8. 6.

In what cases
recognisances
by statute staple
may be taken.

14 ¶ No Maior, or Constable of the Staple, for the payment of any summe of money, shal take any knowledge or recognisance of y^e said statute of the Staple of any of the Quenes subiects, upon paine to forfeit. to y^e D. & J. for every time so offending xl. li. to be recovered by A. J. &c. wherein no W. &c. C. D. &c. But this act is not preiudicial to any Maior & constables of y^e Staple, for any band or wryting of y^e statut of y^e Staple to be taken or received betwene merchāts being free of y^e saie Staple, for merchandises of y^e same Staple, betwene them lawfully bought & sold. 23. H. 8. 6.

1 In what maner execution shalbe made of lands in vvailes, vpo a statute or recognisance. S. Wales. 67.

2 That no statute or recognisance shalbe avoided by a fained recouerie. S. Recoueries. 9.

3 That he vvhich sueth to defete execution vpon a statute shal find suertie to the Q. & the party. S. Corpus cum causa. 2.

4 That obligations taken in the court of Wardes, shalbe of the same strength as a statute staple S. Wardes. 27.

5 That al obligations made to the Q. shalbe of the saie strength, as a statute staple. S. Accompt to the Q. 1.

6 That obligations taken of Ecclesiastical persons for their first fruites, bee of the same strength, as a statute staple. S. Ecclesiasticall persons &c. 25.

7 A remedy for the conisee where lands taken by him in execution be recovered. S. Execution. 3.

¶ Steele.

¶ If any person doe forge or make any gaddes of Iron, lyke to the fashion & maner of gaddes of Steele, or do utter or put to sale anye such gaddes of any Iron, hee shall forfeit for every gadde so forged, uttered, or put to sale. lxx. s. to y^e D. & J. to be rec. by A. J. &c. wherein no W. &c. C. D. &c. 2. Ed. 6. 27.

¶ Suggestion.

¶ If any man do make a Suggestion to the Quenes maiestie, hee shalbe sent with the same suggestiō to the lord Chauncello, treasurer, & the Quenes great counsell, & there shal find suerty to pursue his suggestiō, & the proces shalbe awarded against hym of w^ho the suggestion is made without being taken or imprisoned. 37. Ed. 3. 18 & if he which maketh the complaint cannot proue his suggestiō, he shalbe

shal be sent to prison, untill he hath agreed with the party for his damages & slander, & after shal make fine & ransome to the D. 38. Ed. 3. 9. And the Chauncelour of England hath auctoritie to award damages to him, which is troubled in the Chauncery, or in some aforesaid wrongfully. 17. R. 2. 6.

1 Where he that sueth for a prohibition shal make a suggestion & proue the same. S. Prohibition. 10.

¶ Surgeons.

No person within the city of London, nor within vij. miles of the same, shall take vpon him to exercise & occupy as a Surgeon, (except he be first examined, approued, & admitted by the Bishoppe of London, or by the Deane of Bowles, calling to him iiii. persons expert in Surgery,) vpon payne of 10s. for every moneth, that any person doth occupy as a Surgeon not admitted nor examined in some aforesaid v. li. to the Quene and J. to be recovered by A. of debt, wherein no W. 1c. B. 1c. But this act shal not be prejudicial to the vniuersities of Oxforde or Cambridge, or any liberties graunted to them. 3. H. 8. 11.

Surgeons in London admitted by the Bishop.

2 ¶ No person out of the said citie & precinct of vij. miles of the same (except he hath bene approued in the same) shal take vpon him to occupy as a Surgeon in any Dioces within this Realme, but if he be first examined and approued by the Bishop of the same Dioces, or he bringe out of the Dioces by his Vicar generall, either of them calling to them such expert persons in the said facultie, as they shall thinke conuenient, and giuinge their letters testimoniall vnder their seale to him that they shall so approue, vpon payne of 10s. of v. li. for every moneth that any doth occupy not admitted nor examined in some aforesaid 1c. But this act shall not bee prejudiciall to any of the foresaid vniuersities 1c. 3. H. 8. 11. Notwithstanding the foresaid statute it is lawful to every person being the Quenes subiect, hauing knowledge & experience of the nature of herbes, rootes, & waters, or of the operation of the same, by speculation, or practise within any part of the Quenes Dominions, to practise, vse, and minister in and to any outward soze, vncome wound, appostemations, outward swelling or disease, any herbe or herbes, ointmentes bathes, pulues, and implaisters, accordinge to their cuninge, experience, or knowledge in any of the diseases, sozes, and maladies beforesaid, & al other like to the same, or drinke for the stone or strangury, or agues, without trouble or penalty 1c. 34. H. 8. 8. And for as much as the science of Physicke doth containe the knowledge of Surgery, as a speciall member & part of the same: any of the company of Physicians within the city of London being able, chosen, & admitted by the

Surgeons shal be appointed by the Bishop of the Dioces.

Helps of outward sozes.

The Physicians of London may practise Surgery.

Surgeons.

the President & fellowship of the Whisitions in London, may from time to time, aswell within the City of London, or els where win this realme, practise & exercise the said science of Whisicke, in al & every his members & paris. 32. H. 8. 40.

Surgeons and
barbours made
one company.

3 ¶ By the Statute of 32. H. 8. 42. It was ordeined that the two feuerall Companies of Barbours, & Surgeons in London, and euery person of them beinge a freeman of either of the sayd companies after the custome of the said City, and their successours, should be fro henceforth vnited and made one entire and whole body corporate, & one cominalty perpetual, which should be called by the name of masters or gouernours of the misterie & cominalty of Barbours & Surgeons of London for euer, & by none other name, & by the same name to impled & be impled before al Justices, in al courts, in all actions & suites, & to purchase to the & their successours, al lads &c. rents, & other possessions, and also to haue a common seale, and by the same name to enioy all such landes &c. which the company of Barbours then had, and to enioy al benefites, graunts, franchises, libertyes &c. at any tyme graunted to the sayd company of Barbours. And that they and their successours, shal haue the serche, ouersight, punishment, and correction, aswell of freemen, as of forreins, for such offences as any of them shal commit against the good order of surgerye, as before tyme amongst the company of Barbours hath ben vsed. And that al persons of the said company incorporate, and their successours, that shalbe lawfully admitted and approued to occupie Surgery, (after the fourme of the Statute of 3. H. 8. 11. shalbe exempt from bearinge of armour, or to bee put in any watches or inquestes, (But euery such Surgeon, and Barbour shal pay such scot and lot, and other charges, as they and their predecessours haue accustomed to pay within the sayd Citie, (And that the sayd Masters and Gouernours, and their successours yerely for euer, after their discretions, at their free liberty, shal and may haue and take without contradiction liii. persons condemned, adudged, and put to death by the order of the lawes of this realme, for Anotamies, without any further suit or labour to bee made to the Quene &c. for the same, and to make incision of the same dead bodies, or other wyse to order the same at their pleasure for the better knowledge, and experience in Surgery. And that at times accustomed, there shalbe chosen by the same company fower masters or Gouernours of the same Incorporation or company, of the which fower, two of them shalbe expert in surgery, & the other two in Barbary, which fower Masters and euery of them shal haue full auctoritie from tyme to tyme duringe their sayd office, to haue the ouersight, searce, and correction of all such defaultes and inconueniencies as shalbe found amongst

Surgeons exempt from bearing armour, watches, and inquestes.

liii. Anotamies

liii. gouernours of the corporation.

amongst the saide company vsing Barbary or Surgery, aswell of free men, as foreins & straungers within the Citie of London & circuit aforesaid, after their discretions.

4 ¶ No person within the Citie of London, suburbs of y same, and one mile compas of y said citie, vsing any Barbarie or shauing within the saide citie, suburbs, or one mile circuit of the same citie, nor none other for him, or to his vse, shall occupie any Surgery, letting of blood, or any other thing belonging to Surgerie, drawing of teeth onely excepted) vpon paine to forfeit. for enery moneth offending to the contrary. v. li. to the D. & J. to be rec. by A. J. &c. wherein no writ. C. D. &c. 32. H. 8. 42.

No Barboz in London shall vse Surgerie.

5 ¶ Whosoever vseth the mistery or craft of Surgerie within the circuit aforesaid, as long as he shall vse y same, shall not occupie y craft of barbarie or shauing, neither by himselfe, nor by any other for him to his vse, vpon the paine aforesaid. 32. H. 8. 42.

No Surgeon shall vse y craft of Barbary.

6 ¶ Al persons vsing Surgery, aswel free men as foreins, and aliens within the saide citie of London, the suburbs thereof, & one mile compas of y said citie, shall haue an open signe on y street side, where they shall dwel, y all the Quenes liege people there passing by may knowe at all times whether to resort for their remedies in tyme of necessitie, vpon the paine aforesaid. 32. H. 8. 42.

Every surgeon shall haue a signe at his doore.

7 ¶ No person shall keepe any shop of Barbary or shauing within the citie of London, (except he be a freeman of the same corporation & company) vpon the paine aforesaid. But it is lawfull to any of the Quenes subiectes not being a Barboz or Surgeon, to retaine & keepe in his house, as his seruant, any Barboz, or Surgeon, which shall & may vse those faculties of Barbary & Surgery or either of the in his masters house, or els where, by his masters licence or commandement. 32. H. 8. 42.

None shall be a Barboz in London but a free man.

Each man may keepe a surgeon or barboz to his seruant.

8 ¶ That no Stranger being a common Surgeon shall be interpreted a handie crafts man. S. Aliens 14.

¶ Suit of Court.

¶ One that is enfeofed by deede, shall be distrained to do suit in y court of his Lorde, wout he be specially bound thereunto by the forme of his deede (onely those except, whose aunccestors or they themselves haue vled to doe such suit &c.) And they that are enfeofed by deede to do a certaine service, as for service of so many shillings by pere to be acquitted of al service, shall not be bound to do such suits, or other like, contrary to y forme of their leoffement, Marlb. 52. H. 3. 9.

2 ¶ If any inheritance whereof but one suit is due, descend vnto many heires, as to parceners, who so hath Enitiam partem, shall do the one suit for himself, and his fellowes. And other coheires shall be

One suit for several coparceners or tenants.

Swannes, Tayle.

contributory for their portion, for doing such suit. And if there be diuers feoffees of an inheritance, wherof but one suit is due, the Lord of the fee shal haue but that one suit, & shall not exact of the said inheritance but one suit, as hath ben vled to be done before. And if those feoffees haue no warrant or meane which ought to acquite the, then al the feoffees, according to their portion shalbe contributory for doing the suit for them. Marlb. 52. B. 3. 9.

¶ Swannes.

I f any person or other to his vse, shall haue or possede any markes or game of Swannes of his owne (except he haue landes & tenements of estate of freehold, to the perely value of five Markes, & none al peerely charges,) then any other person being the Quenes subiect, hauing landes to the perely value of five Markes, may seyle the said Swannes as forsaied to the vse of the Quene & him selfe. 22. Ed. 4. 6.

I That it is not lawfull to take Swannes egges out of the nests. S. Haukes 3.

¶ Tayle.

*In gifts intaille
the donoꝝ will
shalbe obserued*

I f lands be giuen to a man and to his wife, and the heires of their two bodies begotten, with condition that if the laide husband and wife do die without heire of their two bodies begotten, the landes so giuen shall reuert to the deuour or his heire. **¶** If any man geue land in Frank marriage, which gift hath a condition annexed (though it be not expessed in the dede of gift) viz. that if the husbände & wife do die without heire of their bodies begotten, the tenement so giuen shal reuert to the donoꝝ or his heire: **¶** If a man giue lande to one, and to the heires of his bodie lawfully begotten, in the aforesaid cases, the will of the donoꝝ shalbe obserued, according to the forme expessed in his dede of gift, so that they to whom the tenement is giuen vpon condition haue not power to alien the tenement so giuen, whereby the same tenement shall not remaine vnto their issue to whom it was giuen after their decease, or reuert to the donoꝝ or his heire, if the donee haue no issue, or if he haue issue, & that issue dye without issue. **¶** For the seconde husbände of such a woman shall haue any thing in such land conditionally giuen after the death of his wife, by the curtilie of Englande. **¶** For the issue of the second husbände & wife shall haue any inheritance. But immediatly after the death of the husbände & the wife to whom the tenement was so giuen, the same shall reuert vnto their issue, or to the donour, or his heire, West. ii. 13. Ed. 1. 1.

I That a fayned recouerie had against tenant in taile of landes vwhereof the reuersion or remainder is in the Quene, shal not conclude

clude the heires. S. Recoveries. 2.

2 Where a fine leued by tenant in taile, shal conclude the heire in taile, and vwhere not. S. fines 14. 17.

3 That lands entailed shalbe charged to the paiement of the detts which the auncellor ought to the Q. S. Accompt to the Q. 6.

4 Where lands entailed shalbe forf. by attaynder of high treason, and vwhat not. S. Forfaiture 2.

5 What lease made by tenaunt in taile shall binde her heires. S. Leases. 1. 2. Recoveries. 4.

¶ Tame Beastes.

Whosoeuer doth maliciously, brutafully, and willingly cut, or cause to be cut out, the tongue of any tame beast, of any other persons, the said beast the being in life, shal lose vnto the party grieved treble damages, to be recovered by A. of Trespas, & thal forf. to the M. r. li. for a fine. 37. H. 8. 6.

Cutting out of
beasts tongues

¶ Tenthes.

A 27. H. 8. 27. It is enacted, that vpon al and singuler letters patents to be made vnder the great seale of Englād, of any manors, lands, tenements, & hereditaments, belonging to any of y^e houses compassed in y^e act made 27. H. 8. (prouided for the dissolution of Monasteries & other religious houses, hauing not lands, rents, or other hereditaments, above the clere yerely value of C. li. (to any person or persons, or bodies polittike, for any estate of inheritance, there shoulde be alwayes reserued to y^e king, his heires & successours, a tenure by knights seruitce in Capite, & a yerely rent of the tenth part of the yerely value of the lands to be compassed in euery such letters patents, according to such rate as the same landes &c. ginen shal bee expressed to be of a yerely value in y^e same letters patents, any thing or clause contained in warrant to the contrarie thereof notwithstanding, & that none atterement shalbe made or admitted by, or for the king, or any other person, y^e the manors, lands, & tenementes, bee of more yerely value then in the same letters patents shalbe declared.

A Tenthe reserved
vnto the abbey
lands.

2 ¶ An. 33. H. 8. 39. It is enacted, y^e if any person, or body polittike, to whom the king hath by his letters patents vnder his great seale, or seale of the Court of Augmentations, ginen, or shall giue with reseruatiō of rent, any lands, tenements, rectories, or other hereditaments, which were or shalbe in the order & suruey of any of the Courts of his Eschequer, Duchy of Lancaster, Augmentations, Surueior general, Master of y^e wards & lucres, or Court of y^e first fruits & tithes, to be had to the & to their heires, or successours, or for any other estate of inheritance, or for terme of life or liues, yelding & reseruing to y^e king, his heires or successours one yerely rēt at one certain

A remedy for
the Tenthes
detayned.

M. li.

day

day or least, in the same letters patents expressed, & to be paid in the same Courts, that if the same person body politike, his heires, successors, or assignes, or any of them do not truly pay unto the Treasurer, or to the generall or particuler Receiver of the same seuerall Courts assigned for the same, to the vse of the king, at the day or least limited by the same letters patents, or within three monethes next after al such summes of money referred by the same letters patents, or make sufficient tender thereof to the said Treasurer, or general or particuler Receiver: that the same person, body politike, his heires, successors, or assignes, for defaulte of payment thereof, to forf. to the king his heires & successors, as much money as the forwerth part of the same rent referred for one yere doth amount unto, in the name of a paine, aboue the same rent referred. And if he his heires or assignes doe not pay or tender the rent within halfe a yere after the day expressed in the letters patents, and also the said money forf. in the name of a paine, then he shal forf. to the king so much money as the moity of the rent referred for one yere doth amount unto, besides the rent referred, & so to forf. for every halfe yere after, so much money as the whole rent referred for one whole yere doeth amount unto, for the which rent, arrearages, & paine, the said Treasurer and Receiver may distraine, & the head officer of the court vpon certificat, may award forth proces against the offender for the rentes & forfaictures. And if any person pay the said tenth, & bring an acquittance, the Treasurer or Receiver after the receipt thereof, shall signe the acquittance without taking any thing thereof, vpon paine of forfaicture of xl.s. & if the partie bring no acquittance, but that the Treasurer or Receiver do make and signe one, he shall take but xlii. d. vpon payne of forfaicture xl.s. 33. H. 8. 39.

A confirmation
of patents,
though the
tenth be not
referred.

3 ¶ All letters patents made by king H. 8. sithe 4. Febma. An. 27. of his raigne, & by king Ed. 6. sithe 28. Januarij. An. 1. of his raigne, of bargaines, sales, gifts, exchanges, or other wise, and sealed with the great seale of Englands, or with the great seale of the Duchie of Lancaster, shall bee good, perfect, and aualeable to all intents, & purposes, according to the saide letters patents, the nonage of the saide king Ed. 6. as Duke of Lancaster, the lacke or losse of the particulars or bill assigned of the patents, or any act, stat. or lawes, for, or concerning any tenures, reservation of rentes, or tenthes, to the contrary notwithstanding. 7. Ed. 6. 3.

1 Which Ecclesiastical persons shal pay tenthes, and vpon vwhat paine. S. Ecclesiastical. 28. 29.

2 That Tenthes shall be paid out of the landes of Colledges, Chauntries, Freechappels, &c. S. Monasteries, 27.

AL lands, tenements, & other hereditaments holden of the Quene &c. by knightes service, Socage or otherwise, as of any of her Dukedomes, Carledomes, Baronies, Castels, manors, lands, tenements, fees, or seignories, which bee come to the Quene or her progenitors, or hereafter shall come to her, her heires, or successors, by meanes of any attainder, conviction, outlawrie, or of any dissolution, surrender, or giving up, of any religious or ecclesiastical houses or places, or of any lands, tenements, or hereditaments, to any of the said houses or places belonging, shall not be admydded to any intent to be holden in Capite, or as tenure in Capite. 1. Ed. 6. 4.

No tenure in Capite by reals of lands coming to the Quene by attainer or other title.

2 ¶ This act shall not be prejudiciall to the Quene &c. concerning any wardship, liverie, primer seyson, fine for alienation, or for any other profit coming to her from any person holding any lands, tenements, or other hereditaments of her grace in chiefe, as of her person, or of any other her auncient possessions, & being not come to her by any such attainder, conviction, outlawrie, dissolution, giving up, or surrender, as be abovesaid. 1. Ed. 6. 4.

Tenure of the Quene in chiefe as of her person.

3 ¶ This act shall not give any liberty or profit to any tenant or owner in fee simple, of any landes, tenements, or other hereditaments, which have heretofore sued any speciall or general liverie, or Ouster le maine, out of the handes of the Quene, or of any her progenitors of any landes &c. by what tenure or service they were or be holden, or that have, or shall confesse by any matter of recoorde, any tenure in chiefe of the Quene, but they, their heires and assignes, shall have and hold the same landes &c. in like maner, as they did befoze the making of this act &c. 1. Ed. 6. 4.

Conclusion of tenure by matter of recoorde.

4 ¶ Where any Inquisition, or Office shall be founde by these wordes or like, Quod de quo, vel de quibus tenementa predicta tenentur, Juratores predicti ignorant, or els found holden of the Quene Per que servitia ignorant, or such like, in such case, such tenure so undoubtedly founde, de quo vel de quibus predicta tenementa tenentur ignorant, shall not be taken for any immediat tenure of the Quene, nor such tenure so founde of the Quene, Per que servitia ignorant, shall not be take any tenure in Capite, but in such cases a Melius inquirendum shall be awarded, as hath bene accustomed in olde time. 2. Ed. 6. 8.

Tenures not certainly found by office.

5 ¶ It is lawfull for every free man to sell his landes, or tenements, or part thereof at his owne will, so that he which is enfeofed shall hold the same land or tenement of the chief Lord of the same fee, by the same services & customes wherby his feoffor held befoze. And if he sel part of his land to any man, the feoffee shall hold immediatly of the chief Lord, and shall be forthwith charged with so much of the services, as doeth or ought to belong to the chiefe Lord for that

The feoffee shall hold of the chiefe Lord, & not of the feoffor.

Tenure.

that parcel, according to the quantitie of the land sold, and so in this case the same part of the service shall remaine to be Lord, to be taken by the hands of the scotlar, for the which he shall be attendant to the Lord according to the quantitie of the land sold for the parcel of the service due. But this Statute extendeth onely to landes sold, which be holden in fee simple, *Stat. 3. 13. Ed. 1. Quia emptores terrarum.*

A tenure in Capite referred
vpon certayne
Abbey lands.

6. ¶ Anno 27. H. 8. 27. It is enacted, that vpon all a singuler letters patents to be made vnder the great seale of England of any manors, lands, tenements, & hereditaments (belonging to any of þ houses compassed in this act, provided 27. H. 8. for the dissolution of Monasteries, & other religious houses, having not lands, rents, or other hereditaments, above the cleere yerely value of C. pound, and committed to the suruey of þ court of Augmentations to any person or persons, or bodies politike,) for any estate of inheritance, there shall be alwaies referred to the king, his heirs & successors, a Tenure by knights service in Capite, any thing or cause contained in writt to the contrary thercof notwithstanding. After by the Statut made 35. H. 8. 14. & 37. H. 8. 29. It was provided, that the said king H. 8. might at his pleasure during a certayne time referre vpon his letters patents graunted of certayne landes in the said Statutes mentioned, (not exceeding the yerely value of £. 5. which were belonging to any of the forenamed dissolved Monasteries,) certayne other Tenures, and not in Capite.

The patents of
H. 10. 3. & Ed. 6.
concerned, notwithstanding
the comission
of tenures.

7. ¶ But by the statute of 7. Ed. 6. 3. It was ordained, that all letters Patents made by king H. 8. sitheence 4. Februarie, Anno 27. of his reigne, and by king Edward 6. sitheence 28. Januarii, Anno 1. of his reigne, of bargaines, sales, gifts, exchanges, or otherwise, sealed with the great seale of England, or with the great seale of the Duchy of Lancaster, shall be good, perfect, and available to all intents and purposes, according to the said letters patents, the nonage of the said king Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulars, or bill assigned of the patents, or any act, Statut, or lawes, for or concerning any tenures, reservations of rents, or tenches, to the contrary notwithstanding. 7. Ed. 6. 3.

1. What Tenure of the Queene doth drawe to her vvarldship, and vyhat not. S. Wardes 48.

2. That he vvich holdeth his landes by nevve Escheat of the Queene, holdeth not in Capite. S. Prærogative 8.

3. That ech Coparcener of landes holden of the Queene in Capite, shall have part of the same landes, and hold by the same tenure. S. Partition, Prærogative 6.

Every

Every person which shall use the occupation of making of tache
Eyle, rouse tyle, crest tyle, corner tyle, or gutter tyle, that make
it good, reasonable, able, sufficient, and well whited & annealed, & the
ground whereof any such tyle shalbe made, shalbe digged & cast up,
before the first day of February next before that they shalbe made,
and the same earth shalbe stirred and turned before the first day of
February then next following, and the same earth before be put
to making of tyle, shalbe truly brought and tried from stones, &
also the dappes called *Wylling*, or *Wille*, and *Chalk*, (being com-
monly in the ground nere to the land convenient to make tyle) af-
ter the digging of the said ground, whereof any such tyle shalbe
made, shalbe well and truly sorted, and cast from the earth where
of any such tyle shalbe made. 17. Ed. 4. 4.

The preparati-
on of the earth,
for the making
of tyle.

2 Every such plaine tyle shal containe in length x. ynches
and a halfe, and in breadth vi. ynches & a quarter, and in thicknesse
halfe an ynch & halfe a quarter at the least, & every such rouse tyle, or
crest tyle, that containe in length xii. ynches, & the thicknes of halfe
an ynch & halfe a quarter at the least, with convenient deepnesse ac-
cording, & every gutter tyle and corner tyle shal containe in length x.
ynches & a halfe, with convenient thicknesse, breadth, & depth accor-
ding. And if any person set to sale any such tyle made against the fore-
said ordinance, then the seller shal forf. to the buyer the double value of the
same tyle, & besides that make fine to the D. at her pleasure, & every
person that seeth himselfe grieved and will sue, shal have an action of
det against the offenders, & the plaintife (if it be found wth him) shal
recover his costs &c. wherein no *W. C. 13. f. 1c. 17. Ed. 4. 4.*

The length,
breadth, & thick-
nes of tile.

3 The Justices of peace within any Countie of this Realme
and every of them, have power to enquire, heare, & determine the de-
faults & offences done against this act, and if it be found or may ap-
peare to the said Justices, or any of them, by examination, or other-
wise by their discretions, that any person hath offended contrarie to
this act, the the same Justices shal assesse upon the offenders no lesse
fine, the for every thousand of plaine tyle set to sale contrarie to this
act b. s. and for every hundred of rouse tyle vi. s. viii. d. And for eve-
ry hundred of corner tyle, or gutter tyle ii. shillings. And if lesse be
put to sale or sold, lesse fines shal be paid therefor, according to the
rate thereof, by the discretion of the said Justices, or any of them.
17. Ed. 4. 4.

Justices of p^{er}s
sh^{al} heare & de-
termine the offen-
ces of the ma-
king.

4 And the same Justices have power to call before them, or
any of them, such, and so many persons, as shal have best experience
or knowledg in the occupation of making of tyle, to searche and
examine the digging, casting, turning, parting, making, whitening, &
annealing aforesaide. And they which so shal be assigned searchers,
D. D. iii. shall

Searchers of
Tyle.

Tithes, Oblations &c.

shall haue power to make such searche. And no person shall put such tyle to sale, before it be searched by the saide searchers, vppon payne of forsaiture of the same. And if the same searchers or any of the do finde that any person exercising y^e occupatiō of tile making, do offend cōtrary to this ordinance, thē they shal present such defaults before y^e saide Iustices at their next sessions, & euery such presentment shalbe as effectual in y^e lawe, as the presentment of xij. men. 17. Ed. 4. 4.

The Searchers
see and Lurie.

5 ¶ And such searchers shal haue of euery tyle maker for euery thousande of plaine tile searched a penny, of euery hundred rouse tile ob. and of euery hundred corner tile and gutter tile a farthing. And the same searchers shal do their effectuell diligence in this behalf, according to this ordinance, vppon payne of forsaiture to the Quene for euery defaulte .x. shillinges. 17. Ed. 4. 4. S. Iustices of peace. 9. 7.

¶ Tithes, Oblations &c.

A Decree for the
pauit of tithes
in London and
the liberties.

Such order and direction as was made and decreede by the Archbishop of Canterburie, & certayne Lords and knights, to whome aswel the Parsons, Vicars, and Curates, of the Citie and liberties of London, as the Citizens and inhabitants of the same did commit, and put themselves, concerning the payment of Tythes, Oblations, and other duties, within the saide Citie, and liberties of the same, and is enrolled in the Chancery of Records, shalbe as an act of Parliament, and shal bind aswel al Citizens, and inhabitants of the saide Citie and liberties, as the Parsons, Vicars, & Curates, and their successors for ever, according to the purport & intent of the said order and decree, which decree is as followeth. 37. H. 8. 12.

The Decree.

2 ¶ The Citizens & inhabitants of the Citie of London & liberties of the same, shal verely without fraud for ever, pay their tythes to the Parsons, Vicars, & Curats of the saide Citie, & their successors after the rate following, viz. of euery .x. s. rent by the yere of all houses, shops, warehouses, sellers, & stables, & euery of them within the saide citie, & liberties of the same, xvi. d. ob. And of euery xx. s. rent by the yere ii. s. ix. d. & so aboue the rent of xx. s. by yere, ascending from .x. s. to .x. s. according to the rate aforesaid.

A house rented
at .x. s. shal pay
xvi. d. ob. for
tithes.

Leases refer-
ring no rent, or
lesse then hath
ben accustomed

3 ¶ Where any lease hath bene, or shalbe made of any dwelling house or houses, shops, warehouses, sellers, or stables, by fraude, reseruing lesse rent thē hath ben accustomed, or without any rent reseruing by reasoⁿ of any fine paid before had, or by any other fraud, thē the formor therof shal pay for his tithes of the same after y^e rate aforesaide, according to the quantity of such rent, as y^e same houses, shops, warehouses, sellers, or stables, or any of the were last letten for, before the making of such lease.

4 ¶ Cuery

4 ¶ Every owner or inheritour of any dwelling house, warehouse, seller, stable, and shop within the said Citie or libertie, inhabiting or occupying y^e same himselfe shall pay after such rate of tithe, as is abovesaid, after the quantitie of such yerely rent, as the same was last letten for.

Owners inhabiting their owne inheretances.

5 ¶ If any person shall take any mease or mansion place by lease, and the taker thereof, his executors or assignes shall inhabite in part thereof, & shall let out the residue, then the first taker, his executors or assignes shall pay his tithes after the rate aforesaid, according to his quantitie therein. And his assignes shall pay their tithes after y^e rate abovesaid, according to the quantitie of their rent by yeere. And if any person shall take divers mansion houses, shops, warehouses, sellers, or stables in one lease, and shall let out one or more of them, and keepe one or more in his owne hands, & inhabite in the same, then he shall pay his tithes after y^e rate abovesaid, according to the quantitie of the yerely rent of such house or houses retained in his hands. And his assigne or assignes of the residue shall pay his or their tithes after the rate abovesaid according to the quantitie of their yerely rents.

Taking several things by lease and letting part thereof.

6 ¶ If any farmer or his assignes of any mansion house, or houses, warehouses, shops, sellers, or stables, shall let over all the same contained in his lease to one or divers persons: Then the inhabitants, lessees, or occupiers of them, and of every of them, shall pay their tithes after the rate of such rents, as the inhabitants, lessees, or occupiers, and their assignes shall be charged withall.

The tenant of several houses assigneth all the same.

7 ¶ If any dwelling house (within viij. yeeres before this decree) was, or hereafter shall be converted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within y^e foresaid time was, or shall be converted into a dwelling house: Then the occupiers thereof shall pay tithes for the same, after the rate abovesaid declared of mansion house rents.

A dwelling house made a warehouse, or storehouse, & ecounterwise.

8 ¶ Where any person shall demise any Dyehouse, or Brewhouse, with implemētts convenient for dying or brewhing, reserving a rent by y^e same, aswell in respect of such implemētts, as of such dyehouse or brewhouse: Then the tenant shall pay his tithes after such rate as is abovesaid, the third peny abated. And every principal house with Key or Wharfe, having any Crane or Gibbet belonging to the same, shall pay after like rate of their rents, as is aforesaid, y^e thirde peny abated. And other wharves belonging to houses having no Crane or Gibbet, shall pay for their tithes, as shall be payed for mansion houses, in for me abovesaid.

Dyehouse or Brewhouse with Roche.

House with Key or wharfe.

9 ¶ Where any mansion house with a shoppe or stable, warehouse, wharfe with Crane, Timber yard, Weir yard, or Garde belonging to the same, or as parcel of the same, is, or shall be occupied together

A house with other things occupied together & after severed.

Tythes &c.

together, if þe same be after leuered: The þe fermor, or fermors or occupier, or occupiers thereof, shall pay such tythes, as is abovesaid for such shoppes, stable, warehouses, wharries with Craine, Timber, parde, Teinter yard, Garden so leuered, after the rate of their several rents thereupon reserved.

Citizens shall
pay their tythes
quarterly.

10 ¶ The saide Citizens and inhabitants that pay their tythes quarterly, viz. at the feast of Easter, the Nativite of Saint John Baptist, the feast of Saint Michael the Archangel, & the Nativite of our Lord by even portions.

iii. Offering
dayes.

11 ¶ Every householdier paying x.s. rent or above, that for him or her selfe, be discharged of their 4. offering dales, but his wife, chylde, servant, or others of their family taking their rights of the Church at Easter, shall pay two pence for their iii. Offering dales yearly.

A house of x.s.
rent divided
into small par-
cels.

12 ¶ If any house which hath ben or shalbe letten for x.s. rent by yeere or more, bee, or within viii. yeeres before this decree hath bene, or shall be divided and letted into small parcels, yielding lesse yearly rent then x.s. by yeere: Then the owner (if he dwell in any part of such house) or else the principall lessee, if the owner do not dwell in some part of the same, shall pay for his tythes after such rate of rente, as the same house was accustomed to be letten for, before such division. And the under fermor & fermors to be discharged of all tythes for such small parcels rented at lesse yearly rent then x.s. paying ii. d. a pence yearly for their four offering dayes.

Gardens.

13 ¶ For such Gardens as appertaine not to any mansion house, and which any person that holde in his hands for pleasure, or to his owne use, the person so holdinge the same shall paye no Tythes for the same. But if any person which shall holde any such garden, containing halfe an Acre or more, both, or shall make any yearly profite thereof by way of sale, then hee shall pay Tythes for the same after such part of his rent, as is herein first above specified: But if any such gardens now (viz. at the time of the decree made) beinge of the quantitie of halfe an acre or more, be hereafter by fraud divided into any lesse quantitie: then to pay tythe according to the rate abovesaid.

The houses of
noble men and
Companies.

14 ¶ This decree shall not extend to the houses of great men, or Noble men, or Noble women, kept in their owne handes, and not letten for any rent, which in tyme past hath payde no tythes, so longe as they shall so continue unletten. Nor to any Halls of Crafts, or Companies, so long, as they be kept unletten, so þe same Halls in tyme past have not used to pay any Tythes.

Shed, Stables
cellers, timber
yardes, teinter
yardes.

15 ¶ This decree shall not charge any Sheds, Stables, cellers, timber yardes, teinter yardes, which were never parcell of any dwelling house, ne belonging to any dwelling house, ne have accustomed

to pay any Tythes, but the Citizens and inhabitants therof shalbe quite of payment of tythes as hath bene used.

16 ¶ Where lesse summe then after xvi. s. ob. in the r. s. rent, or the u. s. r. s. in the r. s. rent hath bene accustomed to bee payde for tythes: the in such places the said Citizens and inhabitants shal pay but onely after such rate as hath bene accustomed.

Let by custome
the xvi. s. ob. in
the r. s. rent.

17 ¶ If any variance shall arise in the said Citie for non payment of any Tythes, or if any variance or doubt arise upon the true knowledge or division of any rent, or tythes within the liberties of the said Citie, or of any extent or assessment therof, or if any doubt arise upon any other thing contained within this decree: Then upon complaint made by the partie grieved, to the Maior of London for the time being, the said Maior by the advice of Councel, shall call the said parties before him, and make a final ende in y^e same, wth h costs to be awarded by the discretion of y^e said Maior and his assistantes, according to the true intent of this decree. And if y^e said Maior make not an ende thereof within two monethes after complaint to him made, or if any of the saide parties finde themselves grieved: Then the Lorde Chancelor upon complaint to him made within thre monethes then next following, shall make an ende in the same, with such costs to be awarded, as shalbe thought convenient, according to the intent of this decree.

A meane to end
contentid that
may arise upon
demanding of
tythes.

18 ¶ If any person take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasions or misfortunes, then he shall pay tythes onely after the rate of the rent reserved in his lease, and no other, wile, as long as the same lease shall endure.

Tenements let
for a small rent
by reason of de-
cay.

19 ¶ Every person denying to pay any of his tythes, oblations, or other duties contrary to the said decree, shall by the commandment of the Maior of London, and in his default or negligence, by the Lorde Chancelor, be committed to prison, there to remaine till he hath agreed with the Curate for his said tythes, oblations, and other duties, as is afore said. 37. H. 8. 12.

Refusors to
pay tythes ac-
cording to the
decree.

20 ¶ All persons of the D. dominions, shall fully & truly set out, or pay al and singular tythes and offerings, according to the lawfull customs of the Parishes & places where such tythes or duties shall growe, arise, or bee due. And in case any person of his peruerse will shall withhold any of the said tythes or offerings, or part thereof, then the partie being ecclesiastical or lay person having cause to demand or have the same, being thereby wronged or grieved, shall and may convent the offender before the Ordinary, his commissary, or other competent minister, or lawfull iudge of y^e place where such wronge shalbe done, accordinge to the Ecclesiasticall lawes. And in euery such

Tythes shalbe
paid according
to the custome
of the Parish
whereof he.

The offender
convened be-
fore the Ordina-
rie.

Tythes &c.

such case the same ordinarie &c. hauing the parties, or their lawfull procuratours befoze him, shal and may procede to the examinatio, hearing and determining of euery such cause ordinarily or summarily, according to the course and proces of the ecclesiasticall lawes, & thereupon may giue sentence accordingly. 32. H. 8. 7. 37. H. 8. 20.

The appellant
shal pay costes
of suite to the
other part.

21 ¶ And in case y any of the parties for any cause concerning that suit, do appeale fro the sentence of the said Ordinarie or Judge: Then the same Judge forthwith shal adiudge to the other party the reasonable costes of his suit therein befoze expended, and shal copell the appellant to pay the same costes by compulsoy proces of the said ecclesiasticall lawes, taking suertie of the other parties to restore the same costes to the appellant, if after the principall cause of that suite of appeale shalbe adiudged against the same parties, to whom y said costes shalbe yelden. And so euery competent Judge ecclesiasticall shal adiudge costes to the other parties, vpon euery appeale made in any suit or cause of subtraction or detention of any tithes or offerings, or in any other suit made for or concerning the due ty of such tithes or offerings. 32. H. 8. 7.

Suertie to re-
pay costs to the
appellant, if the
cause be adiud-
ged for him.

The offender
bound by two
Justices to ob-
bey the Ordina-
ries sentence.

22 ¶ If any person after such sentence definitive giuen against him, obstinately refuse to paye his tithes or duties, or such summes of mony so adiudged, wherein he is condemned for the same: The two Justices of the peace of the same shire (wherof one to be of the Quorum) haue authoritie vpon Information, Certificate, or complaint to them made in writtinge by the ecclesiasticall Judge y gaue the same sentence, to cause the same person so refusing to be attached and committed to the next gaole, & there to remaine without bayle or mainprise vntill he shal haue found sufficient suerties, to be bound by recognisance or other wise befoze the same Justices to the bis of the D. to performe the saide sentence. 32. H. 8. 7. And in like sorte may any one of the D. Councell, or two Justices of peace, vpon an information and request made to them by the Ordinarie, commit any offender to ward, for any contempt, contumacy, disobedience, or any other misdoemeanor of his, in any suit for subtractiō of tithes, offerings, or other duties of the Church, vntill he hath founde suerties &c. vt supra. 27. H. 8. 20.

Recovery and
continuance in a
temporal court
of tythes and
other spiritual
living.

23 ¶ In all cases where any person shall haue estate of inheri-
tance, freehold, terme, right, or interest, of, or in any personage, vica-
rige, portion, pension, tithes, oblations, or other ecclesiasticall pro-
fit, in the temporal, or admitted to abide in temporall handes, & lare
bles by the law or statutes of this realme, shalbe disseised, wronged,
or other wise kept or put from his lawfull inheritance, estate, seisin,
possession, right, or interest, of, in, or to the same, or any parcel ther-
of, by any other pretending to haue title to the same: Then hee,
his

his heires, wife, & such other, to whom such iniurie shalbe done, shal and may haue their remedy in the D. or other tempozal Courtes as the case shal require, for the recovery of the same by writs originall of *Præcipe quod reddat*, *Affise of Novel disseisin*, *Mortdauncetoz*, *Quod ei deforciat*, writs of *Dower*, or other writs originall as the case shal require, deuised and granted in the Chauncery, of euery such *Parsonage*, *Vicarage*, *porcion*, *pension*, or other profit called ecclesiastical or spiritual so to be demaunded according to the nature & cause of y^e suit therof, in like maner & for me, as he shoulde, might, or ought to haue had, of or for lands, or other hereditaments in such maner to be demaunded: And writs of covenant, and other writs for fines to be leuied, and al other assurances to be made or conueied of any such *Parsonage*, *Vicarage*, *porcion*, *pension*, or other profit called ecclesiastical or spiritual, shalbe deuised and graunted in y^e said Chauncery, according as hath ben vsed for fines to be leuied, and assurance to be made of lands, tenements, or other hereditamentes. And all iudgements to bee giuen vpon any of the said writs originall for any the premisses, and all fines to bee leuied in any of the D. saide Courtes thereof, shalbe of like effect in the law to all intents, as iudgements giuen and fines leuied of landes &c. in the same courtes vpon writs originall thereof ouely pursued. 32. B. 8. 7.

24 ¶ But this Act shal not giue any remedy or cause of action in the Courtes tempozall, against any person which shall refuse to set out his Tythes, or which shall withholde or refuse to pay his Tythes or offeringes. But the partie hauinge cause to demaunde the same, shall take his remedye for them in euery such case in the spiritual Courtes, accordinge to the ordinaunce aforesayde. 32. B. 8. 7.

Tithes and offerings shalbe ouely recovered in the spiritual court.

25 ¶ Euery of the D. subiectes shall truely and iustly without fraud or guile, deuise, set out, yelde, & pay all maner of their prediall tythes in their proper kinde as they rise and happen, in such maner and for me, as hath ben of right yeldeo and payed within xl. yerres, next before y^e making of this act (being 4. Nouem. An. Do. 1548.) or of right or custome ought to haue ben payed. And no person shall take or carry away any such or like tithes which hath bene yeldeo or payed within y^e said xl. yerres, or of right ought to haue bene payde in the place or places tithable of the same, before hee hath iustly set forth for the tythe thereof the tenth part of the same, or other wise agreed for the same tythes with the *Parson*, *Vicar*, or other owner, proprietarie, or *Fermer* of the same Tythes, vnder the payne of forfaiture of treble value of the tythes so taken or carryed away. 2. Ed. 6. 13.

Setting forth or paying of prediall tithes.

26 ¶ At all times whensoever the said prediall Tythes shalbe due The persō may carry away his due tithes.

Tythes &c.

due at the tything time of the same, it shalbe lawfull to enery partie to whom any of them ought to be payde, or his deputie, or servant, to see their sayde Tythes to bee truly set forth, and seuered from the ninth partes, and the same quietly to take and carrie awaye. 2. Ed. 6. 13.

Carrying the
corne or hay
before tithes be
set forth, or let-
ting a parson
to take his
tithes.

27 ¶ If any person carry away his Corne or Hay, or his other prediall tithes, before tithes therof be set forth, or willingly withdraw his tithes of the same, or of such other things wherof prediall tithes ought to be payde, or do stoppe or let the Parson, Vicar, proprietary, owner, or other their deputies or sermons, to view, take, and carry away their tithes, by reason wherof the said tithes or tenth is lost, or hurt: Then upon due prooffe therof made before the spiritual Judge or any other Judge, to whom heretofore he might haue made complaint, the party so carrying away, withdrawing, or letting, shall pay the double value of the tenth, or tithes so taken, lost, withdrawn, or carryed away, besides the costs, charges, and expences of the suit in the same, the same to be recovered before the ecclesiastical Judge according to the D. ecclesiastical lawes. 2. Ed. 6. 13.

The tythe of
cattell feeding
in any wast
ground wherof
the parish is
not knowen.

28 ¶ Every person which shal haue any beasts or other cattell tithable going or feeding in any wast or common ground, wherof the parish is not certainly knowen, shall pay his tithes for the increase of the said cattell to the person, vicar, proprietary, parsonage, owner, or other their sermons or deputies of the parish, hamlet, towne or other place, where the owner of the said cattell dwelleth. 2. Ed. 6. 13.

The tythe of
barren heath,
or wast ground.

29 ¶ All such barren heath, or wast ground (other the such as be discharged for the payment of tithes by acte of Parliament) which before this time hath lien barren, and paid no tithes by reason of such barrennes, and shalbe emproued, and conuerted into arable ground or medow, shall after the end of seven yerres next after such improve- ment, pay tithes for the corne and hay growing upon the same. But if any such barren, wast, or heath ground hath before this time ben charged with the payment of any tithes, & the same be after emprou- ed, & conuerted into arable ground or medowe, Then the owner thereof shal during vii. yerres next following from and after the same emprouement, pay such kinde of tithes as was payde for the same be- fore the said emprouement. 2. Ed. 6. 13.

Marchantes &
handicraftsmen
that pay the r.
part of their
gaines.

30 ¶ Every person exercising marchandizes, bargaining, and selling, clothing, handicraft, or other art, or faculty, being such kinde of persons, & in such places as heretofore within these xl. yerres haue accustomedly used to pay such personall tythes, or of right ought to pay (other then such as be common day laborers) shall yearly at, or before Easter, pay for his personall tithes (the tenth part of his cleere gaires, his charges and expences accordinge to his estate therefrom deducted.)

Tythes &c.

church of the place or parish where the party so excommunicate is dwelling or most abiding, the saide Judge may then at his pleasure signifie to the Chauncery the state and condition of the saide partie so excommunicate, and thereupon require prooves De excommunicato capiendo, to be awarded against him. 2. Ed. 6. 13.

Ex communicato
capiendo.

Of what things
the Judge eccle-
siasticall shall
not hold pie.

36 ¶ This act shal not give any minister or Judge ecclesiastical any iurisdiction to holde plee of any thing being contrary or repugnant to the effect or meaning of the statute of Westminster. 2. 5. Statuts of Articuli cleri, Circumspect agatis, Silua Sedua, & treatise de Regia prohibitione, ne against the statute of 1. Ed. 3. 10. or any of them, ne yet to hold plee in any matter wherof the D. Courte of right ought to haue iurisdiction. 2. Ed. 6. 13. S. 38. 39. S. Prohibitio. 1. 2. 3. 4. 5. 6.

London.
Caunterbury.

37 ¶ The foresaid statute of 27. H. 8. & 32. H. 8. shal not extend to any inhabitant of the Citye of London and suburbs of the same for the payment of their tythes and offeringes, neither the statute of 2. Edwardi sexti shal extend to the inhabitants of the City of London and Caunterbury & the suburbs of the same, nor to any other towne or place that hath used to pay their tithes by their houses, other wise then they ought or shoulde haue done before. 27. H. 8. 20. 32. H. 8. 7. 2. Ed. 6. 13.

Windmill.

Silua Sedua.

38 ¶ If any person do erect a newe Mill in his ground, he shall pay tithes for the same Articuli cleri 9. Ed. 2. 5. S. Prohibition 6.

39 ¶ If a man do sell great wood of the age of xx. yerres or above, no tithes shalbe payed therefore. 4. 5. Ed. 3. 3. S. Prohibition 5.

Certaine Abby
lands discharge
ged of tythes.

40 ¶ Every perion and persons, their heires, and assignes having any monasteries, Priories, Puntries, Colledges &c. or other ecclesiastical houses or places &c. or any manours, messuages, personages appropiat &c. or other hereditaments which belonged unto the said monasteries, Priories &c. which were discharged of and for the payment of tithes being in the hands of the Abbots, Priours &c. or other ecclesiastical gouernors, shal haue and enjoy euery of the said Monasteries, Priories, landes, tenementes, and other hereditaments, according to their estates & titles, discharged of payment of Tythes, in as ample maner as any of the said Abbots, Priours &c. or other ecclesiastical gouernors held or enjoyed the same at the daies of their dissolution, or comminge to the handes of king. H. 8. of the same. 31. H. 8. 13.

Tithes of mar-
riage goods in
Wales.
Discharge of
tithes by pres-
cription or com-
posicion.

41 ¶ No tithes of marriage goods shalbe required of any person within Wales or the marches thereof, neither shal any person be compelled to pay tithes for the landes or hereditaments which by the lawes and statutes of this Realme, or by any priuiledge, or prescription are not chargeable with the payment therof, or that be dis- charged

deducted.) But in all such places where handycraftsmen haue bled to pay their tythes within these fortye yeres, the same custome of payment of tythes shalbe obserued and continuē. 2. Ed. 6. 13.

31 ¶ If any person refuse to pay his personall tythes in forme aforesaid: Then it shalbe lawfull to the ordinarie of the same diocess where the said partie is dwelling, to call the same party befoze him and by his discretion to examine him by all lawfull and reasonable meanes (other then by the parties owne corozal othe) concerning the true payment of the said personall tythes. 2. Ed. 6. 13.

The ordinarie may examine him which refused to pay his personall tythes.

32 ¶ Every person which ought to pay offerings, shall yerele truly pay them to y parson, vicar, proprietary, or other deputies or sermons of y parish where he shal dwell or abide, at such 4. offering daies as at any time within the space of 4. yeres last past (being 4. November. An. Do. 1548.) hath ben accustomed for the payment of the same: And in default thereof, to pay for the said offerings at Easter then next following. 2. Ed. 6. 13.

Payment of offerings.

33 ¶ This act shal not extend to any parish which stands vpon, and toward the sea coasts, the commodities and occupying wherof consisteth chiesly in fishing, and haue by reason thereof bled to satisfie their tythes by fish. But every such parish shal pay their tythes according to the lawdable customes as they haue heretofore of ancient time within this xl. yeres bled, and shal pay their offerings as is aforesaid. 2. Ed. 6. 13.

Tythe of fish.

34 ¶ If any person do withdraue any tythes, obventions, profits, or other duties befoze mentioned, or any part thereof contrarie to the true meaning of this or any other act heretofore made, then the party withdrauing may or shalbe conuicted and sued in the D. ec. ecclesiastical Court, by the partie from whom the same shal be withhelden, to the intent the D. Judge Ecclesiastical, shal and maye then and there heare and determine the same, according to the D. Ecclesiastical lawes. And it shal not be lawfull vnto the parson, vicar, proprietary, owner, or other their sermons, or deputies contrarie to this act to conuent, or sue such withholder of tythes, obventions, or other duties aforesaid, befoze any other Judge then ecclesiastical. 2. Ed. 6. 13.

Suits for withholding of tythes shalbe in the ecclesiastical court and not els where.

35 ¶ If any Archbishop, bishop, or other Judge ecclesiastical giue any sentence in any of the foresaid causes of tythes, obventions, or other duties aforesaid, (& no appeale ne prohibition hanging) if y parson condemned do not obey the said sentence: Then it shalbe lawfull to every such Judge &c. to excommunicat y said party condemned, & disobeying, in y which sentence of excommunication, if the said partie excommunicat wilfully endure stil excommunicat by y space of xl. daies next after, vpon denuntiation and publication thereof in the parish church

The offender disobeying the Judges sentence shalbe excommunicate.

charged by any composition real. 2. Ed. 6. 13.

1 That vwhere money for tythes is demaunded in a spirituall court the Q. prohibition doth lie. S. Prohibition 1.

2 Vwhere vpon suit for tythes in an Ecclesiastical court a prohibition is grauntable, & vwhere a Consultation. S. Prohibition. 10.

¶ Tolle.

If any do take any outrageous tolle contrary to the custome of y realme in a market towne which is the Quenes towne and let to see farme, the Quene shal sesse the franchise of the market into her owne hand. And if it be an other towne, & that bee done by the Lord of the towne, the D. shal do in like sort, & if it be done by a bailife or any meane officer without the commaundement of his Lord, he shal restore to the plaintife for his outrageous taking, so much as he hath receiued of him if he hath carryed away the toll, & shalbe imprisoned forty daies. West. 1. 3. Ed. 1. 30.

Excessive tolls taken in Cities or townes.

2 ¶ Toll at a mill shalbe taken according to the custome of the Realme, & the strength of the course of the water, as of the rr. cozne, or the rr. iiii. cozne, and the measure wherby tolle shalbe taken, shal agree to the Quenes measure, & it shalbe taken by the strikel, & not by heape, & if the sermons do find to the millers things necessarie for them, they shal take but their due tolle, & if they do otherwise, they shalbe punished. 3. Ed. 1. Statut de vitellariis.

Toll at mill.

1 VWhen, vwhere, and of vvhom toll for horses shalbe taken in a faire or market. S. Faires & c. 5.

2 In vvhath cases it is not lawfull to take tolle of fish brought into this realme. S. Shippes 2.

3 That Aliens made denizens, shal pay such tolles as they dyd before. S. Aliens 3.

¶ Townes.

If any person or persons, or bodies politike being owners or possessors of any desolate or void groundes, that at any time within xl. yeres next befoze the making of this act (beinge 16. Januarij. An. Do. 1541.) haue ben builded for houses or habitation, or for any house or houses of habitation now or hereafter being in decay and not fully fallen downe, within the liberties and precinctes of any of the boroughes, townes, and places within the walles, and liberties of the Citie of Caunterbury, the citie of Rochester, the boroughes and townes of Stampforde, and great Gymlby in the countie of Lyncolne, the towne of Cambridge, in the countie of Cambridge, the Borough or Towne of Darby in the Countie of Darby, the borough or towne of Gilsford in the countie of Surre.

A provision for the repaire of houses in certayne great townes.

Townes.

The chiefe
Lords enter.

the towne of Dunwich in the County of Suff. the Borowghes or
townes of Singue ports to their members, the townes of Lewes
in the county of Sussex, and the towne of Buckingham in the coun-
tie of Buckingham, do not sufficiently reedifie, build, and repaire, or
cause to be reedified, builded, and repaired the said desolate and void
groundes and decayed houses convenient for habitation and dwell-
ling, within two yerres next after proclamation made in or vpon the
same void ground or groundes, decayed house or houses, by y^e Mai-
or, Aldermen, and Burgessees or other head officers within the pre-
dict of their owne authorities, The it shalbe lawfull for the chiefe
lord or lords immediat, of who such desolate & void groundes decayed
& ruinous houses be holden, after the said two yerres be expired, to en-
ter into the same, and to have the same groundes or houses with the
curtelage, backside, and garden adjoining to the same (if they bee of
the inheritance of the owner or owners of the sayd decayed house or
grounde, & excēde not one acre of ground,) to them & to their heires
or successours, or to their owne proper vse for ever, so that the said lord
or lords immediat entering by the authoritie of this act, do suffi-
ciently reedifie, build, or repaire the same void ground or decayed hou-
ses within two yerres & halfe next immediatly following the deter-
mination of the foresaid first ii. yerres. 33. H. 8. 36.

The entre of
the which have
rent charge.

2 ¶ And in case such lord or lords as may enter by this act do not
enter, and well and sufficiently reedifie, build, or repaire the same
void ground or decayed houses within the said two yerres & a halfe
to them limited by this act, or if such lord or Lords immediat as
may enter do sufficiently reedify, build, & repaire y^e same void groundes
or decayed houses within the said two yerres and a halfe, to them
limited, and after they, their heires, or successours suffer the same
houses or void groundes to fall in ruin and decay, and do not buyld
or reedifie the same sufficiently within two yerres and a halfe after
such ruin or decay: When it shalbe lawfull to al person or persons or
bodies politique as shall then have any rent charge jointly or seve-
rally going out of the said void ground or groundes, or decayed house
or houses in any of the said cities, borowghs, towns or places imme-
diatly after the said two yerres and a halfe expired, to enter into the
same, and to have to such of them, their heires & successours to their
owne proper vse as shall so build the sayd void groundes or decayed
houses by authoritie of this act, the same void groundes or hou-
ses with the curtelage, backside, and garden adjoining to the same,
if they bee of the inheritance of the owner or owners of the sayd de-
cayed houses or grounde, and excēde not in quantitie one acre of
ground, discharged of al rentes going out of the same groundes, or
houses, as well against the sayd lord & lordes immediat, as all other

person or persons or bodies politike hauing any rent or rents charges, or rent secke out of the same, other then y^e free farme of the sayd cite, borough, towne or place, or some parcel thereof, so that the sayd person or persons or bodies politike hauing the sayd rent charge, entering by the auctoritie of this act, do sufficiently reedify, build, & repaire y^e same desolate & void ground or grounds, or decayed house or houses within one yere & iij. quarters next & immediatly following the determination of y^e said two yeres & a halfe to y^e said lord or lords immediatly appointed by this act. 33. H. 8. 36.

3 ¶ And in case such person or persons or bodies politike hauinge any of the said rents, charges, as may enter by this act, do not enter, and wel and sufficiently reedify, build, or repaire the same void ground or decayed houses within one yere and thre quarters to the appointed by vertue of this act, or if they or anye of the hauing such rent charge and that may enter by this act, do sufficiently build and repaire the same void ground or groundes or decayed house or houses, within the said one yere & thre quarters to them limyted, and after they, their heires, or successors suffer the same void ground or groundes, house or houses to fall in ruin & decay, & do not build or reedify the same sufficiently within one yere and thre quarters after such ruin or decay: Then it shalbe lawfull to the Maiors, Aldermen, & Burgeses, & other head officers in y^e said city, boroughs, townes, & places by what name or names soeuer they be incorporated, and their successors, and euery of them within the limits of their auctorities, immediatly after the said yere and thre quarters expired, into euery such desolate void groundes, decayed or ruinous houses to enter, and haue, holde, & inioy to them and their successors for euery to their owne blys, the same groundes or houses, and euery of the to the curtelages, gardens and backsidies to the same, if they bee of the inheritance of the owner or owners of the said decayed house or ground, & excede not in quantitie one acre of ground, clerely discharged of al rents going out of y^e same groundes or houses, as wel against the said lord or lords immediat, as al other person or persons or bodies politike hauing such rent charge or rent secke as before is said, other then the free farme of the said city, borough, towne, or place, or parcel thereof, So that the same Maiors, Aldermen, and Burgeses, or other head officers, as is aforesayd, or their successors for the time being, do reedify, build, or repaire, or cause to be reedified, build, or repaired the same ground or groundes, house or houses, within iij. yeres next & immediatly following the determination of the said yere and thre quarters, limitted or appointed to such person or persons, or bodies politike, that haue or shall haue any rent as is aforesaid. An. 33. H. 8. 36.

The entree of y^e
head officers
of corporate
townes.

KK. ij.

4 ¶ And,

Townes.

4 ¶ And in case the said Maiors, Aldermen, and Burgesles, or other head officers as is aforesaid, or their successours, doe not enter, and reedifie, build, & repaire the same void ground or grounds, decayed house or houses in forme aforesaid, wthin the said terme of iij. yeares after their said entrie, or if they sufficiently reedifie, build, & repaire the same void ground or groundes, or decayed house or houses, wthin the said thre yerres to the limited by this acte, & after they, or their successours suffer y^e same house or houses, void ground or grounds to fall in ruin & decay, & do not build & reedify the same sufficiently wthin iij. yeares after such ruin or decay: Then it shalbe lawful to y^e first owner or owners, possessor or possessors, of such void ground or grounds, decayed house or houses their heires or successours immediately after y^e said thre yerres (to y^e said Maiors, Aldermen, & Burgesles, or other head officers as is aforesaid limited) expired, into y^e same houses, ground or groundes, curtelages, gardens, & backsidcs to enter, and the same to retaine to them, their heires & successours as in their first estate. 33. H. 8. 36.

The first owner
entrie.

Infants, feme
couert, out of y^e
realme, in pris
on, or being
lunaticke per-
sons right re-
served.

5 ¶ But this act shal not be prejudicial to any person or persons being at the time of the said Proclamatio made, vnder y^e age of xij. yerres, or being feme couert, or in prison, or beynd y^e sea, in y^e Queens warres, or in his other lawful affaires, or to any person or persons not being the of whole & perfect memory, during the time that such person or persons shalbe within age, married, in prison, or of no perfect memory, or beynd y^e sea, so that y^e same person or persons, their heires or successours after that he or they come to their full age of xij. yerres, or be vnmarrried, out of prison, or come againe within this realme, or be of whole & perfect memory wthin iij. yeares the next ensuing, do reedifie the same desolate or void groundes, or repaire the said decayed houses. An. 33. H. 8. 36.

6 ¶ An. 35. H. 8. 4. a like acte was made in every respect, wth like provision of saving for the repairing of the towne of Shrewsbury in the county of Salop, the city of Chester in y^e county of Chester, y^e towne of Ludlow in y^e county of Salop, Waverford west in y^e county of Waverford in south Wales, y^e towne of Pembroke Temby in y^e county of Pembroke, the towne of Harmerdyn in the county of Harmerdyn, the towne of Mountgomery in the county of Mountgomery, Cardiffe, Swanesse, Colwylde, neive Radnor & Prestend in the county of Radnor, the towne of Brekenocke in the county of Brekenocke, and the towne of Monmouth in the countie of Monmouth, the towne of Maldon in the county of Essex, the townes of Abargavenny, Wile, Carlton, & Newport in the countie of Monmouth, the townes of Lancaster, Preston, Lirapole, & Wygan in y^e County palantine of Lancaster.

7 ¶ An. 32. H. 8. 18. An act was made for the repaire of houses of habitation within the walles, and liberties of the Cities, Boroughs, & Townes of Dorke, Lincolne, Caunterburie, Couentre, Bathe, Chechester, Salisbury, Winchester, Bristowe, Scarburgh, Berford, Glocester, Rochester, Portesmouth, Wole, Lyn, Feuerham, Worcester, Stafford, Portfret, Grantham, Excester, Ipswich, Southamptoun, great Harmouth, Oxforde, great Wickham, Gilford, Cestreford, Kingston vpon Hull, Newcastle vpon Tyne, Beuerley, Bedford, Leicester, and Warwike, and An. 32. H. 8. 19. a like act is made concerning the repairing of the borough & townes of Shafton, Sherborne, Bristport, Dorchester, and Weymouth in the county of Dorset, and the Boroughes and Townes of Plympton, Plympton, Bastable, Taunestocke, and Dartmouth, within the county of Devonshire, and the boroughs and townes of Launceston, Liscard, Lestutthiel, Bodman, Turne, and Helston, within the county of Cornewall, and the Boroughes, and Townes of Bodelwater, Taunton, Somerton, and Alchester within the countie of Somerset, and the borough of Maldon in the county of Essex, and also þ Borough and Shire Towne of Warwike in the countie of Warr. By which acts it was provided that if any persons &c. or body politike, beinge owners or prisoners of any boide groundes þ haue bene at any time within xrb. yerres immediatly past befoze 12. Aprillis. An. 31. H. 8. & An. Do. 1541. builded for houses of habitations, nowe, or hereafter beinge in decay, and not fully fallen downe, within the liberties or precincts of any of þ said Cities, Boroughs or townes, do not sufficiently reedify, bulde, and repaire, or cause to be reedified &c. the sayd boide groundes or decayed houses convenient for habitation &c. within thre yeares next after proclamation thereof to bee made in or vpon the same groundes &c. by the Maiors &c. or other officers of euery of the said Cities, Townes &c. Then it shalbe lawfull to the lordes of whom such groundes, houses &c. be holden, after the said thre yerres expired, to enter into the same, and to haue the same &c. to them and to their heires or successors, to their owne vse for ever, so that the said Lordes so enteringe do sufficiently reedifie the same houses, groundes &c. within two yerres next following the determination of the said iij. yerres. And in case such Lord do not enter and sufficiently reedifie þ same groundes &c. within the said two yerres: Then it shalbe lawfull to all such persons or bodies politike &c. as shal then haue any rent charge goinge seuerally out of any of the said groundes or houses &c. immediatly after the said two yerres expired to enter into the same, and to haue þ same to them, their heires &c. for ever, so that the sayd personnes or bodies politike &c. do sufficiently reedifie the same groundes. With.

Townes.

In one yere next following the determination of the said two yeres & in case such persons or bodies politique &c. hauing the sayed rent charges &c. do not enter & sufficiently reedify &c. y same grounds &c. within the said one yere &c. Then it shalbe lawful to the Maiors, Sherifes, bailifes or commaltie, or other head officers of the said Cities, boroughs &c. or their successours &c. immediatly after the sayd yere expired, into euery such grounds, houses &c. to enter, and the same to enjoy &c. to them & their successours for ever, clerely discharged of all rent going out of the sayd groundes or houses, aswel against the said Lord, as al persons, or bodies politique hauing any such rent, so that y said Maiors &c. or their successours &c. do reedifie &c. y same groundes houses &c. within thre yeres immediatly following the determination of the said yere &c. And in case the said Maiors &c. or their successours do not enter & reedifie &c. within the said terme of thre yeres &c. Then it shalbe lawful to the first owners, possessioners &c. of such void groundes or decayed houses &c. their heires or successours immediatly after the said thre yeres expired, into the same groundes or houses &c. to reenter, and the same to retaine to them, their heires & successours as in their first estate. In which statutes there be severall promises &c. that th said acts shal not be prejudiciall to any persons being at the time of the said proclamatiō made vnder the age of xij. yeres, to any woman being married, to any person being in prison, or beyond the sea in the Quēnes warres, or in his other lawful affaires, during such time &c. So that the same person do within thre yeres next ensuing (that same imperfectiō removed,) reedify &c. the same groundes, houses &c. as is abovesaid &c.

8 ¶ Anno 27. H. 8. 1. it was enacted that if any owner, or owners of any void and decayed houses or grounds within the precinct of y townes of Posinghā, Shrewesbury, Ludlow, Clouc. Widge, North, Dainborough, & Northampton, within thre yeres next after proclamation thereof to be made by the Maiors, Sherifes, and baylifes, of any of the said townes, in or vpon any such vacant or decayed houses or groundes, do not enter, & sufficiently reedify y same houses, groundes &c. Then it shalbe lawful to the Lord of wch such groundes &c. shalbe holden, to enter immediatly after the said iij. yeres expired, & to haue the same to him, his heires, & successours for ever, so that the said Lord do sufficiently reedify the same within iij. yeres next and immediatly following the determination of the former iij. yeres. And if such Lord do not enter & sufficiently reedify the same within the said iij. yeres: Then it shalbe lawful to the said Maiors, Sherifes, baylifes &c. & their successours after the said iij. yeres expired, to enter into euery such grounds, or houses, & the same to retaine to thē and their successours for ever, discharged of all rents going out of y same, so that

so that y^e same Maiors &c. or their successours do sufficiently redifly y^e same groundes &c. wth in iij. yerres next following the determination of the for mer iij. yerres. And in case the said Maiors &c. & their successours do not enter, and sufficiently redifly y^e same decayed houses or grounds, in for me aforesaid, wth in the said terme of 3. yerres. Then it shalbe lawfull to y^e first owners of such decayed grounds, their heirs or successours immediatly after the same 3. yeaeres expired, into the same &c. to recnter, & the to retaine to the, their heirs & successours, as in their first estate. In which act there is a prouiso for euery person being at y^e time of y^e proclamation made, vnder age, a womā co-uert, in prision, beyond the sea &c. vt supra.

1. That he vvhich dvvelleth in the coun trey shall not sell vvares in corporat or market tovvnes by retaile. S. Merchandise. 11. 12.
2. That cloth to be put to sale shal not be vvrought but in market tovvnes. S. Draperie. 78.

¶ Transportation.

- FOR the transporting of Corne, Beere, Butter, Cheese, Herring, & vvvood. S. Corne. 1. 3. 4. 6. 7. Transporting
of things out
of the Realme.
Corne.
Artillarie.
Cloth.
- 2 For transporting of Artillarie by any Alien. S. Archery. 6.
 - 3 For the transporting of cloth of all prices and sortes, and of vvvoolen yarne. S. Drapery. 100. 101. 102.
 - 4 For the transporting of Brasse, Copper, Latten, Mettall, S. Brasse.
Brasse. 1.
 - 5 For the transporting of anye kinde of sheepe beeinge alyue, S. Sheepe. 1. Felony. 3.
 - 6 For transporting of Leather, Tallovve, and ravve hydes, Leather.
S. Leather. 33.
 - 7 For transportinge of Golde or Siluer in money, Bulleon, Gold & siluer.
Plate, or vessels. S. Money. 3. 4. Merchants. 9. Præmunire. 2.
 - 8 For transporting of Horses, Mares, or geldinges, beyond the seas,
lea, or into Scotland. S. Horses. 13. 16. Felony. 1.
 - 9 For transporting of Shoes, Bootes, Buskins, Startups, &c. Shoes.
S. Leather. 35.
 - 10 For transporting of Sheepskins, vvoolfelles, the skins of a-
ny Stagg, Hynde, Bucke, Doo, Kyd, or the Leather made of them,
S. Marchants. 4.
 - 11 For transporting of Fish. S. Shippes. 1. Fish. 18. Fishes.
 - 12 For the transporting of Vitales. S. Vitales. 8. Wittale.
 - 13 For the transporting of white Ashes. S. White Ashes. 1. White ashes.
 - 14 For the transporting of Worstedes. S. Worstedes. 4. 5. Worsted.
 - 15 For the transporting of vvorstede yarne, spōne in England. Worsted yarne.
S. Yarne. 2.

Transportation. Trauerse.

Thrummes.

16 For the transporting of Thrūmes, or vvollen yarne vnder the colour of Thrummes S.yarne. 3.

Hornes.

17 For the transporting of Hornes, S.Hornes. 2.

Spicerie.

18 For the transporting of Spicerie, S.Merchants. 1.

Bringing of things into the Realme.

For the bringing of cloth into this realme, made in an other Realme, S.Drapery. 104.

Cloth.

2 For the bringing of Corne into this realme, S.Corne. 9.

Cozne.

3 That no vagabonds or beggers shalbe brought out of Irelād or the Isle of Man, into England or Wales, S.Poore people. 14.

Vagabond.

4 That no vagabonds calling them selues Egyptians, shall bee brought into this realme, S.Egyptians. 1.

Egyptian.

5 That certaine foreine vvares ready vvrought, shall not bee brought into this realme, S.Merchant. 3.

Forein wares

6 That Irishe money shall not bee brought into this Realme, S.Money. 5.

Irish money.

7 That no person shall buy or take by exchange, any vvares brought into this realme, wrought out of the realme, made of tinne or mixt vvith tinne, S.Pewter. 7.

Tynne.

8 That no person shall bring vvrought silke into this realme, S.Silke. 1.

Wrought silke.

9 That no false or counterfait money shalbe brought into this realme, S.Treason. 1. 3.

False money.

10 That he vvwhich bryngeth in Haukes, must bring a certificat testifying the same, S.Haukes. 3.

Hawkes.

11 That they which bring in certaine other merchaundizes, shall bring in Bowestaues, S.Bovves. 1. 2.

Bowstaues.

12 For the bringing in of salted fish, or salted Herrings into this realme, vvho may do it, & vvho not, S.Fish, 17. 21, 22.

¶ Trauerse.

Trauerse to an office found after the death of the C.tenant

Where one person or moze is or shalbe souē heire to þe D. tenāt, by office or Inquisition, where anye other person is or shalbe heire, or if one persō or moze is or shalbe souē heire by office in one countie, & an other is or shalbe souē heire to þe same persō in an other countie, or if any persō is or shalbe vntruelly souē lonatike, Ideot, or dead: Every pson or persōs grēued by any such office, or inquisitiō, shal & may haue his or their trauerse to þe same immediatly, or after at his or their pleasure, & procede to trial therein, & haue like remed & aduātage, as in other cases of Trauerse vpon vntrue offices found. 2. Ed. 6. 8.

Trauerse to an office found by attainder of felony &c.

2 ¶ Where it is, or shalbe vntruelly found by Office or Inquisition, that any person attainted, or that shalbe attainted of treason, felony, or Præmunire, is or shalbe seysed of any lands, tenementes,

or hereditaments at the time of such offence committed, or at any time after, wherunto any other person or persons shall haue any iust title, or interest of any estate of freehold: Then every person grieved thereby, shall haue his Trauers or Monstrance de droit to the same, without being bounden to any petition of right, And like remedie and restitution vpon his title founde or iudged for hym therein, as hath bene vsed in other cases of Trauerse although the Quene shall be in such case intituled to any such landes by double matter of Recoꝛde. 2. Ed. 6. 8.

3 ¶ Where it shall be found by Office, or Inquisition, that any landes &c. shall be descended, remained or come to any heire within age, and in the Quenes ward, or that ought to be in the Quenes ward, and that such landes are holden of the Quene immediatly, where in deede the same are holden of some other common person, and not of the Quene immediatly: In such case such heire or heires shall and may haue his or their Trauerse to the same within age, & like remedie and restitution vpon his or their title founde or iudged for him or them therein, as hath bene vsed in other cases of traucrs 2. Ed. 6. 8.

4 ¶ In al such cases as any person shall be enabled by this acte to haue any Trauerse, and shall pursue his trauerse: Then he that shall pursue such Trauerse, shall sue one writte, or several writtes of (Scire facias) as the case shall require, against al & singuler such person and persons as shall haue interest by the D. or by her Patentee, or patentees, in like maner and fourme as is requisite vpon traucrses, or petitions heretofore pursued, & in every such Scire facias, the patentees or other defendants shall haue like plées and aduantage, as they had in any Scire facias before this time awarded against any patentee in any case of Petition. And also vpon every traucrs that shall be pursued by vertue of this acte, in such case as the partie shall pursue such traucrs should by order of the common lawes, haue ben put to sue by petition to the Quene. Where shall be two writs, of search graunted in maner and fourme, as like writtes haue bene graunted vpon petitions made to the D. 2. Ed. 6. 8. Where iiii. writs of search shall be graunted. S. Ayde of the Quene. 2.

5 ¶ If after any iudgement shall be geuen vpon any traucrs that shall be tendered by vertue of this acte, it shall appeare by any matter of recoꝛd that the Quene hath any other former title, right, or interest to the landes &c. mencioned in the same traucrs, Then the same title shall be saued to her, the said traucrs, & iudgement therevpon geuen not withstanding. 2. Ed. 6. 8.

I Where he that is indicted or appealed of treason, shall be receiued to traucrs the same, S. Treason. 11.

Trauers where the Quene is intituled to a tenure where none is.

Upō a traucrs a Scire facias shall be awarded against the Quenes patentees.

Writs of search vpon a traucrs.

The Quenes former title be retained.

Treason.

2 Trauerse to an office vvhereby lands shalbe found to be fraudulently conueied by any of the Queens accomptants. S. Accomptants &c. 38.

3 Where landes shalbee letten to ferme to him that tendeth a Trauerse. S. Patents. 13.

4 For the trial of a trauerse certified of a Riot. S. Riots. 3.

¶ Treason.

Compassing the
Queenes death

Leuying warre
& aiding of the
Queenes ene-
mies.

Counterfeiting
the great or
private seale.
Brynging in of
counterfeit mo-
ney.
Killing a Judge
during his
place.

Forging the
signe manuel
or any signet, or
seale.

Forging the
money of other
realmes currant
in this.

Brynging in of
counterfaite
money.

Forging of mo-
ney, which net-
her is the mo-
ney nor currant
within this
realme.

It is high treason to compass or imagine the death of the Kinge, the Quene his wife, or of their eldest sonne and heire, or to be- flowre the kings wife, or kings eldest daughter beinge unmarried, or or kings eldest sonne & heires wife, or to leuie warre against or King. Quene &c. in her realme, or to be adherent to her enemies, aydinge the in her realme, or els where, or to counterfait or Quenes great seale, her priuie seale, or her money, or to brynge false money into this realme, counterfait like vnto the money of England, knowing the money to be false, and to make merchandize or payment there with, or to flea the Quenes Chaunceloz, Treasourer, Justice of or one Bench or other, Justice in Oire, Justice of Assise, or anye other Justice assigned to heare & determine, being in his place, doing bys office, which foresaid treasons do extend to the Quene, & her royal Maiestie, and the Quene shall haue the forfeiture of the elcheate of them aswell of landes and tenementes holden of others, as of her selfe. 25. Ed. 3. 2.

2 ¶ If any person doe falsely forge or counterfaite the Quenes signe manuel, priuie signet, or priuie seale, or do falsly forge and counterfaite any coyne of Golde or Silver which is not the proper coyne of this realme, and is or shalbe currant within this realme, by the consent of the Quene, her heires or successors, it is hygh treason, and the offenders therein, their counsaillers, aydoers, procuroers, and abettors beinge conuict according to the lawe, shalbe abindged traitors. 1. P. 6.

3 ¶ Whosoever doth bryng into this realme, or any the dominions therof, from any partes beyond the sea, any false & counterfaite coine or mony like to or coine of other realmes, beynge by or Quens permission currant in payment within this realme, knowing the same to be false and counterfaite, to the intent to vtter or make payment therewith, within this realme &c. by merchandizing or other wise, he his counceilers, procuroers, aydoers, and abettours doe commit hygh treason. 1. & 2. P. 11.

4 ¶ If anye person or persons shall falsly forge or counterfaite any kind of Gold or Silver, as it is not the proper coyne of this realme nor permitted to be currant in this realme, it is misprision of
hygh

high treason, and the offenders therein, their procurors, aydoers, and abettors, being convict &c. shalbe imprisoned, and for. such landes, goods & cattels, as in cases of misprision of Treason, so; concealment of high treason. 14. Cl. 3.

5 ¶ The clippinge, washinge, roundinge, or filinge for gaynes sake of any money, or coyne, which now is, or hereafter shalbee the coyne of this Realme, or the dominions thereof, or of any other Realme &c. allowed and suffered to be current within this Realme, by the Quene, her heires or successors, is treason. And the offenders, their counsellours, consentors, and aydoers shalbe adjudged as offenders in treason, But the attaynder in this Treason maketh no corruption of blood in the heire, nor forfayture of dower in the wyfe. 5. Cl. 11.

Clipping, washing, rounding, or filing of money.

6 ¶ If any person for wicked lucre sake, do by any art, waies, or meanes whatsoever, impair, diminish, falsifie, shale, or lighten the proper monies or coines of this realme, or any the dominions thereof, or of monies &c. of any other realmes allowed at the time of the offence committed to be current within England, or any dominions thereof, by the Proclamation of the Quene, her heires, or successors, he, his counsellors, aydoers & consentors shalbe adjudged offenders in Treason, But the attaynder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. Cl. 1.

Diminishing, falsifying, or lightening of money.

7 ¶ It is petit Treason, when a servant killeth his master, a woman killeth her husbände, or when a secular or religious man killeth his Prelate, to whom he oweth obedience. And this manner of treason, doth geue the for. of the Eschetes to every Lord of his own proper fee. 25. Ed. 3. 2.

Petit treason.

8 ¶ Concealment or keepinge secret of any high treason, shalbe deemed, & taken onely misprision of treason, & the offenders therein shall for. and suffer, as in case of misprision of treason hath heretofore ben used. 5. Ed. 6. 11. 1. & 2. D. & 11. 1. Cl. 6. S. Prisons. 8. that it is misprision of treason to conspire to set at libertie any person committed to prison by the Quenes commaundement, for any treason or suspicion thereof, touching her owne person, before the same person be indicted thereof. 14. Cl. 2.

Misprision of treason.

9 ¶ If any person beinge examined before the Quenes Council, or any of the upon any treasons, misprisions of treasons, or murders, do confesse any such offences, or that the said Council or three of them, upon such examination, shal thinke any person so examined to be vehemently suspected of any such offences. The said Quenes commission of Oyer & terminer under the great scale shalbe made to such persones, and into such Shires or places, as shalbee appointed by her highnes for the speedy triall, conviction, or deliverance of such offenders,

Trial of treason & murder, by special commission.

Treason.

offendozs, which cōmissioners shal haue aucthozity to enquire, heare & determine al such treasons, misprisiōs of treasons, & murders, w^{ch} in the shire & places limited by their commission, by such good & lawfull persons, as shalbe returned before thē by the Sherife, his minister, or other, hauing power to returne wryttes and proces for that purpose, in whatsoeuer other shire or place within the Quēens dominions, or wythout, such offences were committed 33. Henrici 8. vicesimo tertio. What challenges the offendoz in this case shal haue S. Challenge. 8.

Trial of treasons committed out of the realme.

10 ¶ All offences beinge made or declared, or to bee made &c. Treasons, misprisiōs of treasons, or concealementes of treasons, and done or committed by any person out of this Realme of England, shalbe enquired of, heard & determined before the Justices of the Kings Bench, by good & lawfull men of the same shire where the said bench shal sit and be kept, or els before such Commissioners, and in such shire of the realme, as shalbe assigned by the Quēens commission, and by good and lawfull men of the same shire, in like maner to al intentes, as if such offences had bene committed within the same shire where they shalbe so enquired of, heard, and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11.

Outlawry of an offendoz beinge out of the realme.

11 ¶ Al proces of outlawrie to be made within this Realme, against any offendozs in treason beinge resiant out of this Realme, or beyond the sea, at the time of the outlawrie pronounced against them shalbe as good and effectual in the lawe to al intentes, as if any such offendozs had bene resiant within this realme at the time of such proces awarded, & outlawrie pronounced. But if the partie so outlawed shall within one yere next after the said outlawrye pronounced, or iudgement giuen therupon, yeld him selfe vnto the chiefe Justice of England for the time beinge, and offer to traaverse the said iudicment or appeale whereupon the said outlawrie shalbee pronounced, then hee shalbe receyued to the sayd traaverse, and beinge thereupon founde not guiltie by the verdict of xij. men, he shalbe clerey discharged of the sayed outlawrie, and of al penalties and forsaytures by reason of the s^{am}e in as ample maner, as though noe such outlawry had ben made. 26. H. 8. 13. 5. Ed. 6. 11.

Trial of treasons committed where the Quēens writ runneth not.

12 ¶ Al such treasons and misprisiōs of treasons which any person shal commit within the principalitie of Wales & marches of the same, or els where within any the Quēens dominions, where her original wrytis in the Chauncery of England runne not, shalbe presented & tried by the othe of xij. men, which shal inhabite win any such shires, & before such Commissioners, as the Quēene from tyme to tyme in such cases shal assigne by her Commission or commissions of O. r and Terminer, in like maner, as if such offences had bene committed

committed within the said shires into the which the sayd commissions shalbe directed. And al presentmentes, trials, proces, iudgements, executions, and forfeitures made, had, or done by vertue of such commissions, shalbe good and effectuell in the lawe to all purposes. *cc. 32. D. 8. 4.*

13 ¶ All trials to be had, awarded, or made for any treason shal be had and bled, onely accordinge to the true order and course of the common lawes of this realme, and not other wise. *1. & 2. D. & D. 10.* *Quere.* Quere if this do take awaye, or diminish the force of any of the other branches. *bz. 9. 10. 11. 12.*

14 ¶ If any person or persons shalbe attainted of high treason by the course of the common lawes or statuts of this realme, in euery such case, euery such attainder by the common law shalbe of as good strength, value, force, & effect, as if it had bene done by auctoritie of parliament. And the heirs & successors, shall haue as much advantage by such attainder, as wel of uses, rights, entries, conditions, as possessions, reuerfions, remainders, & al other things, as if it had ben done & declared by auctoritie of Parliament, & shalbe deemed and adjudged in actual & real possession of the lands, tenements, hereditaments, uses, goods, cattels, & al other things of the offenders so attainted, which her highnes ought lawfully to haue, & which they so being attainted ought or might lawfully lose & forfeit. If the attainder had bene done by auctoritie of Parliament, without any office or inquisition to bee found of the same, any lawe, statut &c. notwithstanding. Sauing to al & euery person & persons & bodies politike, & their heirs, assignes, & successors and euery of them, (other then such person and persons, which shalbe attainted of high treason, & their heirs & assignes, & euery of them, & al & euery other person & persons claiming by them or any of the, or to their uses, or to the uses of any of the, after the said treasons committed) al such right, title, use, possession, entrie, reuerfions, remainders, interests, conditions, fees, offices, rents, annuities, commons, leases, & al other commodities, profits, & hereditaments whatsoever they or any of them, should, might, or ought to haue had, if this act had neuer ben made. *An. 33. D. 8. 20.*

1 Treason for the second refusal of the othe, for the Q. supreme government ouer al estates. *S. Queene. 8.*

2 Treason in compassing to depose or destroy the Q. or to leuie vvarre &c. or in affirming that she ought not to enioy the crowne but some other. *S. Queene. 13. 14. 17. 19.*

3 Treason in affirming that the Queene is an heretike, scismaticke tyrant, infidel, or vsurper. *S. Q. 17. 24.*

4 Treason in maintaining that the common lawes or statut lawes do

Triall.

do not limit or bind the right of the Crowne. S. Q. 20.

5 Treason in maintaining or extolling the aucthority of the bishop or sea of Rome. S. Rome. 1.

6 Treason in obtaining any bul or instrument from Rome, or in geuing or taking absolution thereby. S. Rome. 2, Premunire. 5.

7 Treason in conspiring to set any person at liberty, comitted to prison by the Q. comaundement, for treason or suspicion thereof touching her person. S. Prison. 8.

8 For the forfeitures in high treason. S. forfeiture. 2.

9 That peremptory challenge is not allowvble in cases of hygh treason & misprison. S. Challenge. 10. 11.

10 Treason in withholding any of the Queens castels, distroying of her shippes, or barring any of her hauens. S. Castels. 2.

11 Misprison of high treason in concealing of a Bull or other instrument from Rome, or absolution offered. S. Rome. 4.

12 Treason for perswading, or reconciling, or being reconciled to the Romish religion. S. Rome. 7. 8.

§ Trialk.

Tria' where the striking or poisoning is within one countie, & death in another.

Where any person shalbee feloniously stricken or popsoned in one countie, and die of the same stroke or popsoninge in anyre other countie, then an indictment thereof found by Jurozs of the countie where the death shal happen (whether it be found befoze the Coroner, by jon the sight of such dead body, or befoze the Justices of peace or other Justices or commissioners which shal have aucthoritie to inquire of such offences) shalbe as good in law as if the stroke or poisoning had bene committed in the same countie where the party shal die, or where such indictment shalbe so found. And the Justices of gaole deliverie, and oyer and terminer in the same countie where such indictment shalbee taken, and also the Justices of the Kinges Bench after such indictment shalbe remoued befoze them, shal and may procede bypon the same in al pointes, as they should or ought to do in case such felonious stroke or popsoning, and death therof in shing, had growen in al one same countie. And such partie to whom appel of murder shalbe geuen by the law, may comence, take, & sue appelle of murder in the same countie where the party so feloniously stricken, or popsoned, shall die, as wel against the principal & principals, as against euery accessorie to the same offences, in whatsoeuer countie or place the accessorie shalbe guilty to the same, And the Justices befoze whom anye such appell shalbee commenced, sued, and taken, wythin the yeaere and day after such murder and manslaughter committed, shal procede against euery such accessory in the sae countie where such appel shalbe so take, in like maner & forme, as if the

Appel of murder in the countie where the death ensueth.

Appel against the accessory.

if the same offence of accessorie had bene committed in the same countie where such appeal shalbe so take, as wel concerning the trial by the Jurours of the Countie where such appeal shalbe taken, vppon the plea of not guiltie pleaded by such offendour, as otherwile. Anno 2. Ed. 6. 24.

2 ¶ Where any murder or felonie shalbe committed in one Countie, and an other person or more shalbe accessorie to the same in any other Countie, then an indictment found or taken against such accessorie and accessories vppon the circumstance of such matter (before the Justices of the peace, or other Justices, or commissioners to inquire of felonies, in the Countie where such offences of accessorie shalbe committed,) shalbe as good in the lawe, as if the sayd principal offence had bene committed within the same Countie, where the same indictment against such accessorie shalbe founde. And the Justices of gaole deliuerie, or oyer and terminer or two of them, or, or in such Countie, where the offence of any such accessorie shalbe committed or done, (vppon suit to them made) shall writ to the Custos rotulorum, or keepers of the Records, where such principal shalbe attainted or convicted, to certifie them whether such principal be attainted or convicted, or otherwile discharged of such principal felonie, who vppon such writinge shal make sufficient certificate in writinge vnder their seale or seales, to the sayd Justices whether such principall be attainted, convicted, or otherwile discharged, or not. And after that they do certifie that such principall is attainted, convicted, or otherwile discharged of such offence, then the sayd Justices etc. shall procede vppon every such accessorie, in the countie where he became accessorie, in such maner and forme, as if both the said principal offence and accessorie had bene committed in the said Countie where the offence of accessorie was committed, & every such accessorie and other offendours aboue expressed, shal answer vpon their arraignmentes, and receiue such triall, iudgement, order, and execution, and suffer such forfeitures, as is vsed in other cases of felonie. An. 2. Ed. 6. 24.

Trial of an accessorie in one countie to an offence done in an other.

3 ¶ All foreygne pleas tryable by the countie, pleaded by any person arraigned vppon any indictment, for any petit treason, felonie, or murder, shalbe forthwith tried by the same Justices before whom such person shalbe arraigned, & by the same Jurours of the same Countie, that shal trie the petit treason, murder, or felonie, where of he shalbe so arraigned, without any further respect, or delay, in whatsoeuer Courtie or place of this Realme the matter of the same pleas be supposed or alledged. 22. H. 8. 14. 32. H. 8. 3. And if any person arraigned for murder or felonie plede that hee was taken out of

Trial of foreygne pleas.

Taken out of sanctuary.

a p. 16

Triall.

a priuiledged place in a sovreine countie, & that bee denied, the same shalbe tried befoze y^e same Iustices, & by the saie Iurie that shall trie the murder oꝝ felonie. 4. H. 8. 2. 22. H. 8. 2.

Trial of mur-
ders &c. done
within the
Queens pallace

4 ¶ All treasons, misprisions of treasons, murders, manslaughterers, bloudsheds, and other malicious strikinges by reason whereof bloud shalbee shed agaynst the Quēens peace, which shalbee done within any the Pallaces oꝝ houses of the Quēene, oꝝ her heires, oꝝ within any other house oꝝ houses, at such time as her Matestie shalbe then abyding in her royal person, shalbe inquired of, tryed, heard, and determined within any the Quēenes houses, oꝝ other house where her matestie shalbe abiding, befoze the Lord Steward of the Quēenes household, and in his absence befoze the Treasurer and Comptroller of the Quēenes household, and Steward of the Marshalle for y^e time being, oꝝ two of the, whereof the Stewarde of the Marshalle to be one, by vertue of their offices, w^out any commissiō oꝝ other aucthoritie to them geuen. And whether the Quēene shalbe remoued from the house where such offences shalbe done oꝝ not, befoze they be inquired of, heard, & determined, yet such offences shalbe inquired of, tried, heard, and determined befoze the Quēenes officers of household befoze named oꝝ two of them, by the Inquistyon and verdict of her household seruants in her checke rol, at such Pallace oꝝ house where her matestie shalbe at any tyme abydinge, Riccimo tertio Henrici 8. 12. For the limits of the Quēens Pallace S. Fighting 1.

Enquire of
bloudsheds by
the peomen of
the reg.

5 ¶ The two Clerkes, Comptrollers, Clerkes of the Checke, & Clerkes Marshals, for the time beinge of the Quēenes household, oꝝ one of them, bypon a precept to them, oꝝ any of them made, by the Lord Steward, oꝝ in his absence by the sayd Treasurer and Comptroller of the Quēenes household, and the said Steward of the Marshalle, oꝝ by two of them, whereof the sayd Stewarde of the Marshalle to bee one, haue power, to summon, warne, and returne the names of foure and twentie persons beinge peomen officers of the Quēens said household in the said Checke rol, to enquire of such treasons, misprisions of treasons, murthers, manslaughterers, and other malicious strikinge, by reason whereof bloude shalbee shed agaynst the Quēenes peace, befoze the sayd Lord Steward oꝝ &c. Treasurer, Comptroller and Stewarde of the Marshalle, oꝝ befoze two of them &c. And it shalbee lawfull to them befoze whome such returnes shalbee made, to cause such number of the sayd sower and twenty persons so returned, aboue the number of xii. persons as to him oꝝ them shal seeme expedient, to enquire of such treasons, misprisions of treasons, murthers, manslaughterers, & other malicious strikinges, by reason whereof bloud shalbee shed agaynst the Quēenes peace

peace within the said Palaces, or other the said houses at any tyme committed &c. 33. H. 8. 12.

6 ¶ And if any person or persons be indicted by the sayd Jurie, or by inquisition befoze the Coroner of the said householde, and certified befoze the said Lord Steward &c. or Treasorer, Comptroller, and Steward of the Marshalsey, or two of them, wherof the sayd Steward of the Marshalsey to be one, then immediatly the said lord Steward or &c. Treasorer, Comptroller, & Steward of y^e Marshalsey or two of them &c. befoze whom the said presentment, inquisition, or indictment shalbe so founde, or certified by the said Coroner, shal arraigne befoze them euery such person so indicted, according to the course of the comon law, & forthwith after issue ioynd betwene the Quene & the prisoner so arraigned, the same day & place or any other shal make an other precept to y^e said Clerks, Comptroller, clerks of the Checke, & Clerks Marshals of the said household, or to one of them, to summon & returne one Jurie of xxiij. persons, to appeare befoze y^e said Lord Steward or &c. Treasorer, Comptroller, & Steward of the Marshalsey or two of them &c. at such day, time, & place, & upon such paine as shalbe the limited, of the Sergeants & gentlemen officers of the Quenes Chamber, & of the said household, which shal take wages by the Quenes Checke rolle. And the sayd Lord Steward or &c. Treasorer, Comptroller, and Steward of the said Marshalsey or two of them &c. befoze whom such Jurie shalbe so returned, shal cause xij. of y^e same Jurie to be swozne, truly to try betwene the Quene, & such person as shalbe so indicted & arraigned of such treasons, misprisions of treasons, murders, manslaughteres, & other malicious, strikinges, by reaso wherof blood shalbe shed agaynst the peace, or any of them. 33. H. 8. 12. what challenge he which is in this sort arraigned shal haue. S. Challenge 9.

Arraignement
of an offender,
indicted.

7 ¶ If such person so indicted and arraigned bee found guiltie of any treason, misprision of treason, murders, or manslaughteres, the he shal haue iudgement of lyfe & member, and suffer such paines of death, & shal forf. &c. in like maner as if he had bene founde guiltie of any the said offences, by the order of y^e comon lawes. 23. H. 8. 12. How he shalbe punished which striketh maliciously wth y^e Quenes Palace, wherby blood shalbe shed. S. Fighting 1.

The punishment
of the party at-
tainted.

8 ¶ Ladies of great estate, viz. Duchesses, Countesses, or Baro-
nesses, which shalbe indicted of any treason, or felony by the done, whether they be married or sole, shalbe brought to their aunswere, & put to aunswere, & iudged befoze such Judges & Iurers of y^e realme, as perres of the Realme shoulde be, if they were indicted or impeached of such treasons or felonies committed, & in like maner & forme & none other wise, 20. H. 6. 9.

The order of
the trial of
Ladies.

Trial.

**Trial of a Deede
dated where the
Queenes writ
runneth not.**

9 ¶ If a release or other deede be pleaded in Barre in assise, or other pices of land, or in any action groundes vpon a contract, covenant, or trespass being dated within any franchise where the Queenes writt runneth not, it shalbe tried in the countie where the action is brought, & if witnes be in the deede, proces shalbe made in the same county, & if the witnesses do not come at the graund distress returned, the Justices shal take the enquest, aswel as if the deede had bozne date in the same county where the suit was moved, & that the witnesses had bene of the same county. 9. Ed. 3. 4.

1 For the trial of Treasons, Misprision of treasons, & Murders, by speciall commission. S. Treasons. 9. Piracie. 1.

2 For the triall of Treasons, committed out of the Realme. S. Treason 10.

3 For the trial of Treasons committed in Wales, and where the Queenes writt runneth not. S. Treason 12.

4 That trials of treasons shalbe according to the course of the common lawes. S. Treason 13.

5 Who shalbe admitted to passe in trial of Felonies & Treasons in corporate townes. S. Iurors 15.

6 Where trials shalbe de Medietate linguae, and vvhether not. S. Iurors 29. 30. Attaint 21.

7 For the triall of him vvhich imbeselleth a Recorde. S. Felonie. 18.

8 By vvhom Bastardie alleaged in him that is borne beyond the Sea shalbe tried. S. Abilitie. 2. Bastardie 4.

9 Where a thing done in a forreine region shalbe tried vwithin this Realme. S. Brasse. 2.

10 For the punishment of a felon vvhich refuseth lawfull triall, S. Felony 36.

11 For the triall of offences done vppon the mayne seas. S. Piracie. 1. 2. 4.

12 For the trial of any matter alleaged by a roge in the seconde degree vpon his arraignment. S. Vagabonds. 7.

13 For the trial before the Sherifes, or in court Barons, or in corporate townes in vvaies. S. VVales 42. 55.

14 Triall of al offences made felony by the Act, (prouided 23. El. 2.) against seditious vvordes vttered against the Queene. S. Nevves 9.

15 That the trial of the arriual, discharging, & deliuerie of brasse, and other Metalls, into any part beyonde the Sea, shalbee vwithin this Realme. S. Brasse &c. 2.

NO Sherife nor his Bailife, shall hold his turne but in the due & accustomed place, and but twice in the yeare, that is, once with in a moneth after Easter, and an other time within a month after Michaelmas. (And if he do hold his turne in other maner, hee shall lose his turne for that time. 31. Ed. 3. 14.) And the view of frankpledge, shall be at that feast of S. Michael without any stay, so that every man may have his liberties. And the view of frankpledge shall be so used, as that the Quenes peace may be preserved, and that the Rything may bee kept whole, as it had wont to be. And the Sherife shall seeke no occasion, but be content with that which the Sheryfe had wont to have at his Leete, in the time of king Henry the second. Mag. Chart. 9. H. 3. 36.

At what time the Sherife may hold his turne,

2 ¶ Archbishops, Bishops, Carles, Barons, and women, neede not to come to the Sherifes Turnes, except their presence for any cause be specially required. And they which have land in divers hundredes, neede not come to such turnes, but in the bailiwikes where they be conuersant. Marl. 52. H. 3. 3. 10.

Persons exempted.

3 ¶ Sherifes in their Turnes shall & may inquire, heare, and determine al offences committed within the limits of their auctorities, contrary to the statut provided. 1. & 2. H. 3. 10. for reformation of excess in apparel, & may upon the conviction of any offender alwaies proceed to the Sherife of any shire within this realme, for the apprehension of the said offender. 1. & 2. H. 3. 10. 2. S. Apparel.

Apparel.

4 ¶ And also they may there inquire of al offences & forfeitures committed contrary to the statut provided. 24. H. 8. For the reformation of excess in apparel, & assesse fines according to the said statut. 24. H. 8. 13. S. Apparel.

Apparel.

5 ¶ And also they may there inquire & determine every default & offence of Hostlers, making hostlerhead (not of sufficient, lawful, & due assise, according to the price of Cozne) committed within the limits of their jurisdictions. 31. H. 8. 41. S. Inholders. 2.

Hostlerhead.

6 ¶ And also they may there inquire of attachments made by the officers of the courts of the East Marches, or West Marches, out of any of the counties of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle upon Tyne, & therein proceed, as they may upon presentments taken before them in their turnes of trespasses, or affraies made against the Quenes peace. 31. H. 6. 3. S. Marches. 1.

Attachments in the Marches.

7 ¶ And also they may there inquire by the othes of xij. lawful men, of all offences committed contrary to the statute provided. 7. Ed. 6. To avoide the prices and excess of Wines, and every presentment taken by the othes of xij. men, shall be of such force, as if the same were taken in the Kings Bench. 7. Ed. 6. 5.

Wines.

S. S. 11.

I VVhat

Vagabonds.

1 What Iurours shalbee returned in a Sherifes turne. See Iurours. 14.

2 That an Indiſtor in the Sherifes turne, which is sued in a spiritual Court shall haue a Prohibiton, S. Prohibition. 7.

Vagabonds.

Who shalbe accounted vagabonds.

AL and euery such person and persons that bee, or utter them selues to be Doctors or procurators going in any countrey within this realme, without sufficient auctorizty deriued from h^e Maie^{ty}, & al other idel persons going about in any countrey of h^e said realme vsing craftie & vnlawfull games, & some of them sayning the selues to haue knowledge in Whisdomie, Palmestrie, or other abused sciences, whereby they beare the people in hand they can tel their detentes, deaths, & fortunes, & such other like fantastical imaginatiōs. And al & euery person & persons, being whole, & mighty in bodie, & able to labour, hauing not lād, or master, nor vsing any lawfull merchandize, craft, or misterie, whereby he or she myght get his or her liuing, and can geue no reckoning, how he or she doth lawfully get his or her liuing. And al Fencers, Bearewardes, common plaiers in Enterludes, and Minstrels, not belonging to any Baron of this realme, or towards any other honourable personage of greater degree, al Juglers, Bedlers, Tinkers, & petie Chapmen: which sayde Fencers, Bearewardes, commō plaiers in Enterludes, Minstrels, Juglers, Bedlers, Tinkers, & pety Chapmen, shal wander abrode, and haue not licence of two Iustices of peace at the least, whereof, one to be of the Quorum, where and in what shire they shal happen to wander: And al common labourers, being persons able in bodie vsing loytering, & refusing to worke for suche reasonable wages as is tared and commonly geuen in such parts where such persons shall dwel. And al counterfactors of licences, passports, and al vlers of the same, knowing the same to be counterfait. And all Schollers of the Vniuersities of Oxforde or Cambrydge, that go about begging, not being auctorized vnder the seale of the said Vniuersities, by h^e Commissarie, Chauncello, or Vicechauncello of the same. And all shipmen pretending losses by Sea, other then such as shalbe hereafter provided for. And al persons deliuered oute of gaoles that begge for their fees, or do trauel to their countreys or frindes, not hauinge licence from two Iustices of the peace of the same countie where he or she was deliuered: shalbe adiudged Roges, Vagabonds, and sturdie beggers, intended by this acte, together with all and euery such other persons, as for altering and breaking of such good orders, as in the act established for the reliefe of h^e aged & impotent poore people are declared to be vagabonds. 14. El. 5. S. Poore people. 4. 8. 16.

2 ¶ Every person above the age of xiiij. yeares, being set forth by this act to be a roge, vagabond, or sturdie begger, and which shall be at any time taken begging in any part of this Realme, or taken vagrant, wandering, & misordering him selfe, contrary to the purport of this act, in any part of the said Realme, shall upon his apprehension be brought before one of the Justices of the peace, or Shalke, or chiefe Officer of Cities, Boroughes and Townes corporate, within the County, citie, Borough, or Towne corporate, where the apprehension shall be, and by the said Justice, or head Officer, presently committed to the common gaole of the said countie (being apprehended within the countie) or els such other place, as by the Justices of peace of that countie or three of them at any their generall Sessions shall be appoynted. And if he bee taken within any Citie, Borough, or Towne corporate, then to be committed to the prison of the said City, Towne &c. there to remaine without baile or mainprise, untill the next Sessions of the peace, or generall Gaole deliverte for the said Shire, Citie, Towne &c. to be holden, which shall first happen. 14. Cl. 5. S. Justices of peace 77.

A Vagabonde
shalbe upon his
apprehension
committed to
the gaole.

3 ¶ Every such roge apprehended, shall be conveyed by the Constable or other Officers of the parish where such apprehension shall be, but to the Constable, Tithingman, or other Officer of the next towneship, or parish in the next hundred, and so from one hundred to another, by the Constables, Tithingmen, or officers of every such towneship, or parish, which shall be next in every such hundred, the direct way until they shall come to the gaole or prison appointed for such roges, and every such officer shall accordingly convey such roges under the paines of 10s. of vi. s. viii. d. 14. Cl. 5. 18. Cl. 3.

By whom a
roge shall be
conveyed to
the gaole.

4 ¶ At the next Sessions or gaole deliverte, if such person so committed to prison be duely convicted of his or her rogish trade of lyfe, either by enquest of office, or by the testimonie of two honest & credible witnesses upon their othes, then immediately he or she shall be adjudged to be greivously whipped, and burnt through the gristle of the right eare with an hot yron, of the compasse of an ynch about, manifesting his or her rogish kinde of life, and punishment received for the same, whereof entrie shall be made of record by the Clerke of the peace of the same Shire in the Accordes of the same Sessions, which judgement shall also presently be executed, except some honest person valued at the subsidy next before that time to v. li. in goods, or xx. s. in landes, or els some honest householder, as by the Justices of the peace of the same Countie, or two of them shall be allowed, will of his charitie bee contented presently to take such offendour before the same Justices into his service for one whole yeare next following, & to that ende will presently before the said Justices enter into

The first punishment of a
vagabond.

ss. liij.

band

rit. 6. a Recog-
nizance.

Discharge of
imprisonment
by iurrie.

The second pu-
nishment of a
vagabond.

band by recognizance to the vse of the Quene, to pay to our said so-
ueraigne Lady the summe of v. li. if he keepe not the said offendour in
his seruice, by the space of the said whole yere, & to bring him or her
vnto the Sessions at the yeres end, or then good p^{ro}ofe of his or her
death during the said yere, the said Clerke of the peate taking for the
said recognizance but xii. s. only. And if such vagabond so taken into
seruice, depart w^{ithin} the said yere, frō the said seruice, against the wil
of him & so taketh him or her into seruice: When the said vagabonde
shalbe whipped & burnt through the gristle of the right Ear with a
hot yron, as is aforesaid. 14. Cl. 5.

5 ¶ But if the said person so committed come before the next ses-
sions or the next gaole deliuerie to be holden for the said Countie, or
before their committing, & do finde any such iurrie as is next before
recited, to be bound in forme aforesaid for him or her, for one whole
yere, then hee shal not tarry in the gaole till the next Sessions or
gaole deliuerie. 14. Cl. 5.

6 ¶ The said person so marked, or adiudged to be burnt, shal not
be dealt w^{ithal} againe by way of punishment by & space of xl. daies
next after the said punishment executed, or adiudged to bee burnt, if
he or she haue licence for the said xl. daies, from two Justices of the
peace of the s^{ame} shire, testifying & punishmēt receyued, or iudgemēt
geuen. But if after & said punishment executed or iudgement giuen,
& said person do after lx. daies next after he or she shal so be marked,
either in & same county where he or she was marked, or hauing recei-
ued such iudgemēt, or els in any other county w^{ithin} Englad or Wales,
being of & age of xviij. yeres or aboue, do eftsones fal againe to any
kind of rogish trade of life, then & said Roke from thenceforth shalbe
taken & adiudged in al respects as a felon, & shal in al degrees suffer
so fast as a felon, except some honest person valued at & last subsidie
next before & time to x. li. in goods, or xl. s. in lāds, or els s^{ome} such honest
householder, as by & Justices of peace of & same county, or ii. of them
shalbe allowed, of m^{ore} charitie wil be contented before such Justi-
ces, as the said vagabond shalbe arraigned of felony, to take him or
her into his seruice for two whole yeres then next following, & then
before the same Justices wil presently put in band by recognizance
of x. li. to be leuied of his lands, tenements, goods, and cattels, to the
vse of our said soveraigne Ladie, if hee keepe not the sayd offendour
in his seruice for two whole yeres, and bringe him or her vnto the
Sessions at the said ii. yeres end, or good p^{ro}ofe of his or her death.
And if such vagabond so taken into seruice depart w^{ithin} the same ii.
yeres, frō his or her said seruice against the wil of him that so toke
him or her into seruice, then such vagabond shalbe taken & adiudged
as a Felon in all respectes, & shal suffer & so fast as a felon without
allowance

allowance of Clergie or Sanctuarie. 14. El. 1.

7 ¶ If any such person inquirable of, as of a Roge in the second degree, shal after his first conviction, either by curinge, or alteration of the marke, or by alteration of name, or denyinge to be the same person, or by any other meanes go about to avoid the having of his further punishment, the same or any such other, allegatiō shalbe considered of, & tried by the Jury upon the arraignment as parcell of their evidence, and as they shal in their consciences find & prove, circumstances, & evidences, so to geue their verdict, which shalbe a sufficient trial in lawe, without any further Certificat or trial of the former record or conviction, from any other Countie or place, or by any other meane. 18. El. 3.

The trial of any matter alleged by a roge to avoid his punishment.

8 ¶ If the Roge in the second degree indicted, and by confessiō, or verdict after wardes convicted, shal after ward a third or fourth, or other tyme after bee indicted and convicted of rogishe lye, then he shal suffer to all respectes as a Felon, without allowance of clergie: But this acte shal not extende to make any person or persons accessorie to the sayde felonies made by this Statute, nor any attainder by any the felonies aforesaide, shalbe any corruption of blood in the issues, or line of the person attainted. 14. Elizabeth. 5. 18. El. 5.

A roge in 2^d or 3^d degree.

No accessorie nor corruption of Roges.

9 ¶ This acte shal not extende to the punishment of anye such persons, as by this statut are limited for Roges, vlesse the same be of the age of xiiij. yeres or above, but every of the under page shalbe punished with whipping or stockyng, as heretofore hath bene used & appointed by the laws & statuts in that case provided, & in al other respects repealed. 14. El. 5.

Roges under xiiij. yeres of age.

10 ¶ If within any Towne or Parish where any such vagabond shal bogge or make his abode, contrarie to the forme of this statut, the Constable or Tithingmen be negligēt, & do not his or their best indewour for the apprehension of such vagabond, or shal willingly suffer the said vagabond to escape from the punishment in this statut prescribed: Then the said Constable or Tithingmen, in whom such default shalbe, shal forfeit for every such vagabond and vagrant person that shalbe suffered to bogge, or make abode within his authority by s. viij. d. But Shipmen & soldiers, havinge lycence of the next two Justices of peace, to the place where they first entred into this realme, may passe according to the purpozt of their licence, and intent of this act. 14. El. 5.

Forfeiture for not apprehending of vagabonds.

Shipmen & Soldiers.

11 ¶ If any person geue any harborough, money, or lodging or any other reliefe to any vagabonde, either marked, or not marked, not having such a licence as is before recited from ij. Justices of the peace (then in continuance) and that duly proved before the Justices

Relieving of Roges.

ss. liij.

of

Vagabonds.

of the peace at their quarter Sessions, he shal make such syne to the Quene, as by the said Justices, or the more part of the at their general Sessions, shalbe assessed, so as y^e same extende not xx. s. But al gouernors of Hospitals may harbour any aged or impotent person of charity, or geue money in almes (as they are bound to do by their foundation) to such impotent or aged person. 14. Cl. 5.

Resisting the
execution of
this statute

12 ¶ If any person do disturbe the execution of this acte, or make resistance against any Warden, Sheriffe, bailiffe, or other person that shall endeavour himselfe about the due execution hereof, he shal forfeit. v. li. & be imprisoned at the Quenes pleasure. 14. Cl. 5.

No licence shal
extende but in y^e
County where
the graunte is
Justice.

13 ¶ No licence recited in this Statut shal geue any libertie, or be of any force, but only in the shire whereof the graunto or grauntors of such licence shalbe Justice or Justices of peace, wherefoze if the said party licensed wil haue any further passage wout the danger of this law then the shire where his first licence is granted: he must procure in euery other shire where he intendeth to passe one or other licence from two Justices of the peace of the sayd shire, & so fro shire to shire to the end of his journey. 14. Cl. 5.

Haruest folkes

14 ¶ This act shal not extende to any Cockers, or Haruest folkes that trauele into any countrey of this realme for haruest worke, either Corne or Hay haruest, if they do worke accordinglye, neyther yet to any that happeneth to be robbed or spoiled by y^e way, neyther yet to any Seruingme, that be of honest behauiour, y^e be turned fro their maisters, or whose master or maistres shalbe dead, for the space of fire monethes next after such turning away or death, so as euery such Seruingman hath a testimonial fro his maister or maistres, or from ij. Justices of the peace of the same county, declaring such turning away, or such death &c. 14. Cl. 5.

Licences vnder
the great seale.

15 ¶ It shalbe lawfull to the Lord Chawncello, or Lord Keeper of the great seale, to make licence vnder the great seale, as heretofore hath ben accustomed, & the said licences shal as largely extende, as y^e contents of them will beare. 14. Cl. 5.

Passports or li-
cences by gouer-
nors of townes,
& Captaines.

16 ¶ This act shal not extende to make boide any safecondite, passport, or licence, granted by the Lord Deputie of Ireland, by the Lord Gouernor of Berwicke, or Carlisle, or any other chiefe Capitaine or Gouernor of any Castel or fortresse of the Quenes, or by any other in their absence, hauing the charge of the said townes and Garrisons, or by anye the Guardians of the iij. Marches towarde Scotland, or by any general Lieutenant, or other chiefe officer appointed by the Quene to haue the charge & conductiō of any army, garrison, or power of mē, leuied by her appointmēt, & for her special service, or by any priuat Captain, vpon the dispersing of any army, onely to any souldier, or any other person whatlocuer w^{ch} in England

and

and Ireland, passing by vertue therof about his lawfull busines, but hee or they shal quietly inioy the benefit therof in as ample manner as heretofore it hath ben used. 4. Cl. 5. 18. Cl. 3. to continue frō 15. die Marci. An. Do. 1575. soz vij. yeres, & from thence vnto y^e ende of y^e next Parliament then next following.

1 VVhat act done by any seruant shal procure him to be punished as a vagabond. S. Laborers. 8.

2 VVhat act done by any poore or impotent person shal cause him to be accompted, vsed or punished as a vagabonde. S. Poore people. 4. 8. 9. 16.

3 That a vagabond after his second conuiction shall not haue his clergie. S. Clergie. 3.

V Villenage and Villaines.

V Villenage may be pleaded, and a villaine may be seysed by hys Lozde, though the villaine haue a writte of Libertate probanda hanging. 25. Ed. 3. 18. vpon their Lozds request special Commissyons shalbe graunted to the Iustices of peace, or other sufficient persons to enquire of Villaines which do vse them selues rebelliously, & wil not be iustified by their Lozdes. And also of their councelloz & maintainoiz, which Commissioners shall haue powe, to heare & determine the same, & to im prison the offendoiz. 1. R. 2. 6.

Commissions to enquire of misdemeanors of villaines.

2 Though any mans villaine do flye into any cite, towne, or place infranchised, & do saue any suit against his Lozd to the intent by that meanes to become free, yet y^e Lozd shal not be barred of his villaine, because of his aunswere in law. 9. R. 2. 2.

Villaines suing their Lozdes.

3 No writ shalbe abated by an exception of cognysance of villenage, if the demandant wil auerre that he which alledged y^e exception was free the day of the writ purchased. 37. Ed. 3. 17.

Consuance of villenage.

V Vitales. Vitailers.

E Very man that bringeth vittailles whatsoeuer they be, to the Citie of London, by lande or by water, may freely sell the same to whom it shal please him, without beinge interrupted or impeached by any Fisher, Butcher, pulter, or any other whatsoeuer. And the Maior & Aldermen of the saide Citie may rule & redresse the defaultes of Fishers, Butchers, & Pulters, as they doe of those which sell bread, ale, or wine. 31. Ed. 3. 10. 7. R. 2. 11.

Vittails brought to London.

2 All Forreins and Aliens beinge in frendshyp with the Q. and the Realme, and comming within the Citie of London & other Cities, Boroughes, and Townes within the Realme, aswel within liberties as without, with fishe and all other vittailles, and there tarrying

Aliens bringng in vittails may sell in grosse, or by retails.

Vittailles, & Vittailers.

farrying and retorning againe to their owne countreys, shalbe vnder the R. safegard, and special protection. And it shalbe lawfull to them and enery of them to cut their fish, and vitailles in peces and in part, by retaile, or in grosse, as it shal seme best vnto them to sell the same, and make their profit therof without the hinderace or contradiction of any man. 6. R. 2. 10. 1. B. 4. 17. And if any man dys- turbe any sozeine or alien to sell their fishe in grosse, or by retaile, in part, or in the whole, contrarie to the foresayd ordinance, & is there- of attainted at the R. or the parties suit, hee shal forfait x. li. And he that wil sue for the Quene or for him selfe shal haue the one halfe, and the R. the other. And he that will sue for the R. or himselfe, for any offence committed within the Citie of London contrary to the foresaid statute, may sue in what countie he will of the Counties of Middlesex, Hartford, Essex, Kent, Surrey, or in the Citie of London 14. B. 6. 6.

The prices of
vittailles assign-
ed by the Jus-
tices of peace.

Vittailles shalbe
sold at reasona-
ble prices.

3. Vittailers shall haue reasonable gaine, and no moze, accor- ding to the limitation & discretio of the Justices of peace, vpo paine to be greuously punished after the discretion of the same Justices where no paine is limited in certaine. 13. R. 2. 8.

4. Butchers, Fishmongers, Vostelers, Brewers, Bakers, Vulters, and all other sellers of all maner of vittaille, shalbe bounde to sell the same vittaille for a reasonable price, hauing respect to the price that such vittaille is solde at in the places adioining, so that the same sellers haue a moderate gaine, & not excessive, reasonable to be required, according to the distance of the place from whence the saide vittailles be carried, and if any sell such vittailles in anye other maner, and therof be conuict, he shal pay x. double of the same that hee so receined to the party dampnified, or in default of him, to anye other that will pursue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughs, Marchaunt townes, and of the Portes of the Sea, and other places, haue power to enquire of al & singular which shal in any thing offend the same, and to leue the saide paine to the vse of them at whole suit such offendozs shalbe conuict. And in case the same Maiors and Bailifes be negligent in doyng execution of the premises, and thereof be conuict befoze the R. Justices, then the same Maiors and Bailifes shalbe compelled by the same Justices to pay the treble of the thinge so solde, to the partie dampnified, or to any other in default of him that will pursue. And also shalbe greuously punished by the R. 23. Ed. 3. 6. And no person other then such Maiors, Bailifes, or Governours, befoze rehearsed, hauing franchise, and lurneyng of vittailles, and correction of the same, or other intituled by poynt of Charter, shal by colour of anye letters Patentes vse any Office of lurneyng, or correctinge of vittailers with

within any Cities, Boroughs, or other places, bypon paine of for-
feiture for every default to the Quene and Informer for tie pound,
to bee recovered by Action of debt, wherein no W. C. P. 1c. 12.
Ed. 4. 8.

¶ Upon every complaint made of any enhauncinge of prices
of Cheese, Butter, Capons, Hennes, Chickens, and other vittailles
necessarie for mennes sustenance, without cause reasonable in any
part of the Quenes dominions, the Lorde Chauncelloz, the Lorde
Treasorer, the Lord President of the Quenes counsell, the Lorde
Prinse seale, the Lorde Steward, the Lorde Chamberlayne, and
all other Lordes of the Quenes Counsell, the Treasurer, and
Comptroller of the Quenes house, the Chauncelloz of the Duchy
of Lancaster, the Quenes Justices of either Benche, the Chaun-
celloz, Chamberlaynes, vnder Treasurer, and the Barons of the
Quenes Exchequer, or seven of them at the least, wherof the Lord
Chauncellour, the Lord Treasurer, the Lord President of the
Quenes Counsell, or the Lord Prinse seale, to bee one: haue power
from time to time, as the case shall require, to set and tare reason-
able prices of al such kindes of vittailles aboue specified, howe they
shalbe solde in grosse, or by retaille, for reliefe of the Quenes sub-
iects, and after such prices set & tared in forme aforesaid, proclama-
tion shalbe made in the Quenes name, vnder the great seale, of the
said prices in such part of this Realme as shalbe conuenient for the
same. 25. H. 8. 2.

The prices of
vittailles as-
sessed by the Q.
Counsellors &
Officers.

6 ¶ Alfermoys, owners, broggers, and all other vittaylers kee-
ping any of the kindes of vittailles afoze rehearsed to the intent to
sell, shal sel the same to such the Quenes subiects, as wil buy them,
at such prices as shalbe set by the said proclamation, vpon the paines
to be limited in the said Proclamation to be forfeited, and leuied to
the Quenes vse, in such wise as by the same Proclamation shalbee
declared. 25. H. 8. 2.

They which
haue vittailles
to sell, must sel
them at the
price tared.

7 ¶ This act shall not be hurtfull to Maiors, Bailifes, or other
Officers of Cities, Boroughs, & to wnes corporat, nor to any per-
sons, or bodies politique hauinge authoritie to set prices of such vit-
tailles or of any of them, but they and euery of them may set prices
thereof, as if this Act had neuer ben made. 25. H. 8. 2.

Heed officers
of corporat
Townes may
set prices of
vittailles.

8 ¶ No person or persons (vnlesse it bee by licence vnder the
Quenes great seale) shall carry or conuey, or cause to bee carried or
conueyed, any Corne, Beeces, Buttons, Meales, Pozkes, Butter,
Capons, Hennes, Chickens, or other vittailles necessarie for mens
sustenance, to any the parts beyond the Sea, (except onely for vit-
tailing of Masters, Mariners, & Marchants of shippes passinge the
Seas, and also except Barreled butter, and meale to be carried to f
parties

No vittailles
shalbe trans-
ported without
licence.

Vittailles, Vitailers. Vpholsters.

parties of Ireland as hath ben accustomed) upon paine of forfaiting of the value of the thinge carried contrary to this act, to the D. and Informer &c. to be recovered by A. J. &c. wherein on W. C. P. &c. 25. H. 8. 7. For the transporting of Corne. S. Corne. 1. 2. 6. 7.

How the prices
of vittails shal
be assessed, whe
a vitailer is
chiefe Officer.

9 ¶ No Officer in a Citie or Borough, which by reason of his Office ought to keepe y^e Assise of wines and vittailles, so long as hee shalbe in office shal sel wine or vittailles in grosse, or by retaille, upon paine to forfait the thinge solde. 12. Ed. 2. 6. But whensoever any vittailer is chosen to beare any office within any Citie, Borough, or Towne corporat, which for the time y^e he shalbe in such office should haue the assessinge and correction for selling of vittailles, then two discrete and honest persons of the same Citie, Borough &c. neither of them being a vittailer, shalbe chose by the comminaltie of y^e same Citie, Borough &c. in like sort as the said Officer shalbe chosen, which two persons with the said officer shalbe sworn truely to selle and set the prizes & assises of vittaille there for the time that any such vittailer shal abide in the sayd office. And then it shalbe lawfull to every of the said officers after the same vittailles be set and setted by the same officer & the said two persons or one of them (the other being absent) to marchant and sell wines & all other vittailles in grosse and at retaille duringe the time hee shalbe in any such office, without any thing therofore to forfeit. the foresaid Statute of 12. Ed. 2. or any other Statute notwithstanding. An. 3. H. 8. 8.

London porke
Countrie.

10 ¶ But this act shall not extend to discharge any minister of the Cities of London, Porke, and Couentry, nor none of them for any wine or vittaille, to be sold by any retaille within any of the said Cities. 3. H. 8. 8.

1 A remedy against conspitacies made by vittailers for sellinge their vittaille. S. Artificers 1. 2. Corporations 7.

2 That no vittailer shalbe a taker for the Queenes carriage. S. Purueyors. 12.

Vpholsters.

What stuffe
shalbe puris
t for featherbeds,
bolsters, pil
lowes.

N O person shal make, to the intent to sel, or offer to be solde, any featherbed, bolster, or pillow, except the same be stuffed with dry pulled fethers, or cleane downe onely, without minglinge of scalded feathers, fen downe, thistle downe, sand, lyme, grauel, vnlawfull or corrupt stuffe, haire, or any other, upon paine of forfaiture of al such featherbeds, bolsters, & pillowes, and euery of them so offered to be solde, or the value therof to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

2 ¶ No person shal make, to the intent to sell, or offer, or put to sale, any Quilte, Patresse, or Cushions, which shalbe stuffed with any

any other staffe, then fethers, wooll, or flockes alone, vpon paine of forfeiture of al & every such quilts, matresses, or cushions so solde or offered to be sold, or the value thereof to the D. and J. &c. to be recovered by A. J. &c. wherein no *W. C. D. &c.* 11. *H. 7.* 19. 5. *Ed.* 6. 23.

no hat stiffe
shalbe put in
quilts, matres-
ses, cushions.

¶ Vses.

Where any person or persons bee or shalbe seised of, and in anye lands, tenements, rents, seruices, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any other person or persons, or of any bodye politique by reason of any bargaine, sale, scoffement, fine, recovery, covenant, contract, agreement, will, or other wise by any meanes whatsoeuer. In euery such case, euerie such person & bodye politique, that haue or shal haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, of yeares, or other wise, or any vse, confidence, or trust in remainder, or reuerter, shal stand and be admydded in lawfull seison, estate and possession, of, and in the same landes &c. and hereditamentes with their appurtenances, to al intents, of and in such like estates, as they had or shal haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, and possession that was in them that were, or shalbe seised of any lands, tenements, or hereditaments, to the vse, confidence, or trust of any other, shalbe admydded to be in him, or them, y haue, or shal haue such vse &c. after such maner and condition, as they had befoze in or to the vse &c. that was in them. 27. *H.* 8. 10.

The estate in
possession con-
veyed to him
that hath the
vse.

2 ¶ Where diuers persons be, or shalbe jointly seised of and in any lands, tenements, rents, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that bee so jointly seised, then he or they, which haue, or shal haue any such vse &c. shal haue only to him or them such estate possession and seison of and in the same lands or other hereditamentes in like maner condition & course, as he or they had befoze in the vse of y same lads &c. 27. *H.* 8. 10.

Assurance made
to diuers to the
vse of one of the

3 ¶ Sauing to al and singuler persons, and bodies politike, their heires and successours, (other then those which bee or shalbe seised of any lands &c. to any vse,) all such right, title, entre, interest, possession, rents, and actiō, as they, or any of them had, or might haue had befoze the making of this acte, and also sauing to all persons and to their heires, which bee or shalbe seised to anye vse, all suche former rights, titles, interest, possession, rents, customes, seruices, and actiōs, as any of them might haue had to his owne vse, in or to anye landes, tenementes, rentes, or hereditamentes whereof they bee or shalbe seised to anye other vse, as if this act had neuer ben made. 27. *H.* 8. 10.

Sauing of o-
ther mens
right.

4 ¶ Where

Vfury.

Land assured
before the sta-
ture, to the vse
that it shal be
payd out of
the same.

4 ¶ Where diuers persons be seised of, and in any lands, tene-
ments, or hereditaments in fee simple, or other wise, to the vse or in-
tent, that some other shal haue yearly to him and to his heires one
annual rent out of the same lands &c. and some other one other an-
nuall rent to him & his assignes for terme of life, yeres, or for some
other special time, according to such vse as hath bene heretofore de-
clared: in euery such case the same persons, their heires and assignes
that haue such vse, and interest, to haue such rent out of such lāds &c.
shalbe adiudged to be in possession of & same rent, of & in such like es-
tate as they had in the title, interest, or vse of the said rent, or profit,
& as if a sufficient graunt, or lawful conuiance, had bene made and
executed to them by such as were or shalbe seised to & vse of any such
rent, & al such persons as haue or shal haue any title, vse, & interest
in or to any such rent or profit, shal lawfully distrayne for non pay-
ment of & same rent, & in their owne names make auowries, or by
their bailifes or seruants make cognisances, & iustifications, & haue
al other suites, entries, and remedies for & rents, as if the same rents,
had ben actually & real'y graunted to them with sufficient clauses of
distresse, reentrie, or other wise, according to such conditions, paines,
or other things appointed vpon the trust for payment, or surtye of
such rent. 27. H. 8. 10.

Vfurie.

Selling of
wares & buy-
ing the same.

N O person shal by him selfe, factor, attorney, seruant, or deputie,
sell his marchandizes or wares to anye person or persons, and
within .iiij. moneths next after by him selfe, or by anye other to his
vse buy the same marchandizes or wares or anye parcel thereof, vpon
a lesser price, knowing the to be the same, that he before dyd so bar-
gaine or sell, vpon the paynes and forfaytures hereafter limited in
this statute. 37. H. 8. 9.

No man shal
take aboue .ii.
for the forbear-
ing of C. li.
for one yere.

2 ¶ No person by way of any corrupt bargaine, lōne, exchange,
cheuifance, shift, interest of any wares, marchandize, or other things
whatsoever, or by any other corrupt or deceitfull way or meane, or
by any couin, Ingin, or deceitfull way or conueyance, shall haue,
receiue, or take in lucre or gaines, for the forbearing or giuinge daye
of payment of one whole yere, of, and for his money or other thing
that shalbe due for the same wares, marchandizes, or other things,
aboue .x. li. in the C. and so after the rate and not aboue, of, and for a
more or lesse summe, or for longer or shorter time, and no more or
greater gainc or summe thereupon to be had: vpon the paines here-
after limited &c. 37. H. 8. 9.

No man shal
take aboue .x. li.
for the forbear-
ing of C. li.

3 ¶ If any person do bargaine and sel, or lay to mortgage by any
way, any manors, lands, tenements, or hereditaments, to any other
vpon

upon condition of payment, or non payment of any summe of money to be made at any day certaine, or before any such day, by him that shal so bargain, sel, or lay to mortgage the same landes &c. the same person to whom any such landes &c. shalbe so bargained, sold, or layde to mortgage, shal not by reason thereof, haue, ne take in lucre, or gaines of the issues, revenues, & profits of the same landes &c. about .x. li. in y^e C. for one whole yere, & so after the rate abovesaid, for a more or lesse summe, or for a longer or shorter time, and no more, or otherwise, upon the paines hereafter limited. 37. H. 8. 9.

for a yere upon sale or mortgage of landes.

4 ¶ If any person shal do any act or thing, contrary to y^e tenor, force, and effect of this statute, or any clause, article, or sentence contained in the same, then every offender therein, or in any part thereof, shal forfeit for every such offence the treble value of the wares, marchandises, & other thing or things so bargained, sold, exchanged, or shifted, and the treble value of the issues & profits of the said lands, tenements, & hereditaments, so taken, had, or received by reason of any such bargain sale or mortgage, to the Q. & J. to be recovered by A. J. &c. wherein no W. C. D. &c. And also shal suffer imprisonment of his body, & make fine and ransom at the Quenes pleasure. 37. H. 8. 9.

The forfeit. of the offenders in the premises.

5 ¶ But this act shal not extend to any lawfull obligation indorced with a condition, nor to any statute or recognisance made for the payment of a lesse summe, so that the same bee made for a true, just, & a perfect debt, or for the performance of any other true covenants made betwene the parties, other then in cases of vsury, interest, corrupt bargaines, shift, or chivallance, ne yet shal extend to any recovery, fine, seoffment, release, confirmation, or graunt made upon condition, with a true intent, other then to such as shalbe made upon condition extending to vsury, interest, corrupt bargaines, shifts, or chivallance. 27. H. 8. 9.

To these bands & assurances the Statute extendeth not.

6 ¶ All bands, contracts, & assurances collateral, or other, to be made for payment of any principal, or money to be lent, or covenant to be performed, upon, or for any vsury in lending, or doing of any thing against the said act of 37. H. 8. by or by which lone, or doing, there shalbee reserved or taken above the rate of .x. li. for the C. for one yere, shalbe utterly void, and the same statute of 37. H. 8. shalbe most largely and strongly construed for the repressing of vsury and against all persons that shal offend against the true meaning of the said statute by any way or devise directly, or indirectly. 13. Cl. 8.

All assurances whereby above .x. li. in the C. li. shalbe reserved are void.

7 ¶ All Brokers, Solicitors, and drivers of bargaines, for contracts, or other doings against the said stat. of 37. H. 8. whereupon shalbe reserved or take more then after y^e rate of .x. li. for y^e lone of C. li. for a yere, shalbe to all intents judged, punished, & viled as counsellors

Brokers, solicitors, and drivers of bargaines.

Attornies,

Vfury.

VVager of lawe.

Attornies, or Advocates, in any case of Premunire. *An. 13. Cl. 8.*

8 ¶ All vsury, lone, and forbearing of money, or giuinge dayes for forbearing of money, by way of lone, cheuisance, shiftes, sale of wares contract or other doings whatsoever for paine, mencioned in the said statute of 37. *H. 8.* wherupon is not reserved, or taken, or couenanted to bee reserved, payde, or geuen to the lender, contractor, shifter, forbearer, or deliuerer, aboue the summe of *x. li.* for the loane, or forbearing of a hundred pound for one yere, or after that rate for a more, or lesser summe or time, shalbee punished in forme followinge, *vz.* Every such offendor against this branch of this present statut shal forfeit so much as shalbe reserved by way of vsury aboue the principal, for any money so to be lent or forborne, al such forfeitures to be recovered and imploied as is limited for forfeitures by the said former statute of 37. *H. 8.* and every person offendinge in vsury, shiftes, or cheuisance against this act, and not taking but only after the rate of *x. li.* in the *C.* or vnder for a yere, shalbe onely punished by the paines & forfeitures provided by this act, against such as shal not take aboue the rate of *x. li.* in the *C.* for a yere, and not other wise. *13. Cl. 8.*

He that taketh
x. li. or lesse in
the *C.* shal for-
feit the interest
onely.

It is com-
mended by
the ecclesiasti-
cal law.

Orphan: s.

9 ¶ If any person shal offende contrary to the sayde estatute of 37. *H. 8.* then hee shal, and may also be punished according to the ecclesiasticall lawes heretofore made against vsury. *13. Cl. 8.*

10 ¶ This statute doth not extend vnto any allowances for the finding of Orphanes, according to the auncient customes of *y^e* City of London, or any other Citie where like order is for the Custodie of Orphanes and their goods, as is in the said Citie. *13. Cl. 8.* to endure for *v.* yeres, next after the end of the parliament holden. *13. Cl.* and from thence vnto the end of the first Session of the parliament then next ensuing.

¶ Wager of lawe.

He that wa-
geth his law
must bring o-
thers to sweare
with him.
A man may
wage his lawe
against Lond-
ons papers.

NO Bailife shall put any man to his open lawe nor to his othe, vpon his owne bare report, without faithfull witnesses brought in for the same. *Magna Charta. 9. H. 3. 28.*

2 ¶ If any person be grieved or attached by his body in London by any of the same Citie, surmising the defendaunt to be his debtor, and that hee wil proue by his papers, hauing neither deede nor taile, in this case the defendaunt shalbee receiued to his lawe, by people of his owne condition against such papers, & the creditor shal take surtie by some other way if he wil, without putting the partie to plead to an Enquest, if hee will not of his owne good will. *38. Ed. 3. 5.* But by the custome of London, if the debtor set his hand to the creditor's booke, he cannot wage his lawe. And the customes of *y^e* same Citie

City be confirmed by 14. Ed. 3. 1. and diuers other statutes.

3 ¶ In an action of debt brought vpon the arrerages of accōpt, the Iustices of the Quēnes court and other Iustices befoze whom such suits & actions shalbe in Cities & boroughs sued and takē, haue power to examine the Attornies and other whome it please them, & thereupon to rescite the defendantes to their lawe, oꝛ to trye the matter by enquest according to the discretion of the same Iustices & Judges. 5. H. 4. 8.

Wager of lawe
in det vpon the
arrerages of
accōpt.

¶ Wales.

The Quēnes countrey, oꝛ dominion of Wales shal stand, & continue foꝛ ever incorpoꝛated, vnited, & annexed, to and with this her realme of England, & all & singuler person & persons boꝛne, and to be boꝛne in the said principalltie, countrey, oꝛ dominio of Wales, shal haue, enioy, and enherite all and singuler frēdomes, liberties, rights, pꝛiualleges, & lawes, wīn this realme, & other the Quēnes dominions, as other the Quēnes subiects naturally boꝛne within y^e same, haue, enioy, & inherite: & the lawes, oꝛdinances & statutes of this Realme of England foꝛ ever, and none other, shalbe had, vled, practized, & executed in the said countrey oꝛ dominio of Wales and euery part thereof, in like maner, foꝛme, and oꝛder, as they bene and shal be in this realme, and in such like maner and foꝛme as hereafter shalbe further established and oꝛdeined. 27. H. 8. 26.

Wales annexed
to England.

English lawes
vled in Wales.

2 ¶ The Quēnes dominion, principalltie, & country of Wales is deuided into xii. shires, of the which viii. haue ben shires of long & ancient time, vꝝ. Glamorgan, Carmarthen, Denbroke, Cardigan, Flint, Carnaruan, Anglesey, & Merioneth. And 4. were newly oꝛdeined by y^e stat of 27. H. 8. 26. vꝝ. Radnoꝛ, Brecknock, Mountgomery, & Denbigh, ouer and beside the shire of Monmouth, & diuers other dominions, Lordships, & manors in y^e Marches of Wales, vnted and annexed to y^e shires of Salop, Herefoꝛde, & Gloucester, & ouer & besides y^e towne of Hauerfoꝛde west which is a countie in it selfe. And the limitations of hūdzeds made within y^e saide shires by vertue of the commissions of king Henrie the eight, directed out of his court of Chancery, and againe returned into the same, shal stād in ful strength & foꝛce according to the said limitation, except such of y^e same as sith that time hath ben altered by vertue of any act of parliament. 27. H. 8. 26. 34. H. 8.

Wales deuided
into shires.

3 ¶ There shalbe, and remaine a President & counsaile in the said dominio & principallty of Wales & the marches of the same, wī al officers, clarkes, & incidēts to y^e same, in manner & foꝛme as hath bene heretofore vled, which president & counsell shal haue auctoritie to heare & determine by their discretions, such causes and matters as be oꝛ hereafter shal be assigned to them by the Quēne &c.

President and
counsell.

Wales.

as heretofore hath bene used. 34. H. 8.

Sessions twice
in the yere.

Denbigh.
Flint.
Mowntgomery.

Carnaruan.
Merioneth.
Anglesey.

Kadno.
Brecknoche.
Glamorgan.

Carmarthen.
Pembroke.
Cardigan.
Haverford.

The Justices
commissions un-
der the great
seale.

The Queene
may appoint ii.
Justices for e-
very circuit, or
grant associa-
tion.

4 ¶ There shalbe kept Sessions twice in every yere in every of the saide twelue Shires, in the sayde dominion and principalltie of Wales, the which Sessions shalbe called the Quenes great Sessions in Wales. & Justice of Chester for the tyme being shal holde and keepe Sessions twice in every yere in the Shires of Denbigh, Flint, and Mowntgomery, and have nothing but his old fee of C. li. ycerely for the same. The Justice of Northwales shal in likewise hold and keepe Sessions twice every yere, in every of the Shires of Carnaruan, Merioneth, and Anglesey, and shal have of y^e Quene a ycerely fee of fiftie pounde for the same. One person learned in the lawes of this Realme of England by the Quene to be appointed shalbe Justice of the Shires of Kadno, Brecknoche, and Glamorgan, and shal in likewise holde and keepe Sessions twice in every yere, in every of the same Shires, and shal have ycerely of the Quene fiftie pounde for his fee. One other person learned in the lawes of this Realme to be appointed as is aforesayde, shalbe Justice of the Shire of Carmarthen, Pembroke, and Cardigan, and of the Towne and Countie of Haverford west, and shal in likewise holde and keepe Sessions twice in every yere, in every of the same Shires, and shal also have ycerely of the Quene fiftie pounde for his fee. The sayde personnes or Justices, and every of them shal have several letters patents and Commissions for their offices, vnder the Quenes great seale of Englande, to be exercised by them selues, or their sufficient deputies, accordinge to the purpose and intentes in their ordinances specified. Anno 34. Henrici octavi.

4 ¶ The Quene, her heires and successours may and shal at her or their pleasure constitute or appoynt two or more learned as aforesayde in the lawes of this Realme to be Justices of and for the sayde Countie of Chester, Flint, Denbigh, & Mowntgomery, and two or more learned &c. to be Justices of North Wales, by of and for the saide Shires of Anglesey, Carnaruan, and Merioneth. And likewise two or more learned &c. to be Justices of and for the sayde circuit and Shires of Kadno, Glamorgan, and Brecknoche, and also two more learned &c. to be Justices of and for the saide circuit and Shires of Cardigan, Carmarthen, and Pembroke, and the towne and countie of Haverford west, any lawe, statut &c. not withstanding. And her maiesty, her heires & successours may & shal at her & their pleasure fro time to time assent & graunt Commission and Commissions of association or associations vnder the great seale of England, to any person or persons learned, as aforesaid, to be assent at to or with every or any such several Justice or Justices for y^e tyme being,

being, of the said severall circuittes and countiees aforesaid, or in any of the said countiees. 18. Cl. 7.

6. ¶ Every of the said Justices within the limits of their Commissions and authorities to them appointed, as is aforesaid, shall hold al manner of ples of the Crowne, at & in the said sessions in as large and ample manner, as the Quenes chief Justice of England, and other the Quenes Justices of the kings bench there, or any of them may do in their places or els where wⁱⁿ the realme of England. And also shall hold ples of assises & al other ples, & actions real, personal & mixt, in as large & ample manner, as the Quenes chief Justice of y^e commoⁿ ples in England, & other Justices of the same ples, or any of them may do in y^e realme of England. And every of y^e said Justices of Wales, shall have auctoritey to enquire of al treasons, murders, felonies, riots, routs, unlawfull assemblies, Extortions, embzateries, maintenance, retainors, concealmentes, contempts, & al other offences, & evil deeds, of what natures, names, or qualites so ever they be done, committed, or perpetrated wⁱⁿ the limits of their commissions & authorities, against the soyme of the common lawe of y^e realme of England, or of any statutes of the same, & to heare and determine the promises & enery of the, and generalie to minister comon Justice, to al and singuler the Quenes subjects within the limits of their Commissions, and authorities according to the lawes, statutes, & customes of the Realme of England, and according to this present ordinance. 34. H. 8. And all and everie such two Justices or more, to be appointed by y^e Quene, her heires and successors (according to the statut made. 18. Cl.) within every of the said severall circuittes & countiees. And also everie such Justice or Justices, together with such person or persons associate (if any such association or associations shall happen to be as aforesaid) during such association, and after such association ended, or w^{out} such association, such Justice or Justices shall have the like power and jurisdiction to all intents and effects, as any one Justice within any of the said circuittes or shires aforesaid, now hath, or at any time heretofore had or ought to have. And also shall have like power and jurisdiction to keepe and holde the severall sessions aforesaid twice in every yere, in everie of the sayde shires, within their severall circuittes aforesaid, & to heare, determine, order, award, adudge, rectifie, take knowledge of, and execute, all and singuler causes, matters, ples of assises, Treasons, Murders, felonies, indictments, appeales of murder, felonie, and maymes, actions reals, personalles, and mixt, liffes, plaintes, informations, quarels, attaintes, conspiracies, Quare impedit, and all actions grounded upon any statut or statutes, writtes, proces, returns, essoynes, verdictes, iudgements

Of what things
Justices may
holde ples.

And the
Justices

And the
Justices

And the
Justices

And the
Justices

And the
Justices

And the
Justices

Wales.

mentes, fines, acknowledges, confessions, warrantes, and executions, actions, and actes, whatsoeuer, and so doe, perfourme, obserue, accomplish and make all and euery other act and actes, matter and matters, thing and things whatsoeuer, in like, & in as ample, beneficial, lawfull, and effectual manner & forme, to al constructions qualities, intents, and purposes, as any of the now seuerall Justices, or any one of y^e now Justice or Justices within the same seuerall circuit or circuits and countie aforesaid, may, ought, hath, or might lawfully doe, by force of the lawe, blage, or statute heretofore had, made or vsed before the making of this act. And al & singular writs proces, returns, essones, verdicts, iudgements, fines, recoveries, recognisances, acknowledges, confessions, act & acts, thing & things matter & matters as aforesaid, had, made, take, doe, returned, heard determined, awarded, adiudged or executed, by or before any such ii. Justices or more, or any such Justice or Justices, & associat or associates as aforesaid, to be appointed, nominated, authorized, or constituted as aforesaid, shalbe allowed, taken, construed, expounded, & adjudged as good, effectual, & auayleable to all intents, constructions, & purposes, as if the same had bene had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Justice, or one of the Justices now, or late being Justice or Justices of the same circuit or seuerall circuittes aforesaid, any lawe, blage, statute &c. notwithstanding. 18. El. 7.

Sessions kept
vi. dayes.

Proclamation
xvi. dayes before
the Sessions.

Dayes in court.

Issues taken in
pettie Sessions.

Issues, amercia-
ments.

7 ¶ Every of the said Sessions shalbe kept & continued by the space of vi. dayes in euery of the said shires, at either of y^e said times, as is & hath bene vsed within the said iii. shires of Northwales. And the saide Justices shall cause open proclamations to be made in the shire towne, what time & place they purpose to keepe their saide sessions xv. dayes at the least before they keepe the same, to the intent the Duenes subiects may haue knowledge thereof. 34. H. 8.

8 ¶ Dayes shalbe giuen in al ples, plaintes, proces, & adturnments, fro day to day, & Sessions to Sessions, by the discretion of the said Justices within y^e limits of their authorities, for the good and speedy ministration of Justice, to all & singular y^e Duenes subiects, as is or hath bene vsed in Northwales. And the issues taken before the said Justices in ples personall, which cannot be tried before the in time of their great sessions, for breuitie of time, shall and may be tried at a pettie sessions, before the deputy Justices there, as is & hath bene vsed in the three shires of Northwales, except such of the said suits as by y^e discretio of the said Justices shalbe thought necessary, to be tried before themselves, within their limits. 34. H. 8.

9 ¶ The Queene shall haue all fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, before any of the said

Said Justices in the sessions aforesaid. And the Proxies within the limits of their offices, shall perely extrete the same into the Elchequer appointed for that limit, to the intent that proces from thence may be awarded to the Sherifes to leuy the same to y^e Quenes vse, as appertaineth, which Sherifes shal yerely make their acco^{pts} be- fore the Quenes Audito^{rs} thereunto assigned. 34. H. 8.

10 ¶ One original Seale devised by the Quene for Justice to be ministred in y^e said iii. Shires of Northwales, viz. y^e Shires of Merioneth, Carnarvan, & Anglesey, shalbe & remaine in the charge and custody of y^e Chamberlaine of Northwales. And one other originall seale &c. for y^e said Shires of Carmarthen, Denbroke, and Cardigan, shalbe & remaine in the charge and keeping of the Chamberlaine of Southwales. And likewise one other original seale &c. for the sayde iii. Shires of Brecknocke, Radnor, & Glamorgan, shalbe & remaine in the charge & custody of y^e Steward & Chamberlaine of Brecknocke. And also one other original seale &c. for y^e said Shires of Denbigh & Mountgomery, shalbe & remaine in the charge & custody of y^e Steward & Chamberlaine of Denbigh. And y^e original seale of Chester, shalbe & stand for the original seale of Flint, for Justice to be ministred in the said Shire of Flint, and shalbe & remaine in y^e charge, keeping, and custody of the Chamberlaine of Chester. 34. H. 8.

Original seales

11 ¶ The said Stewards & Chamberlaines, shall seale with y^e said seales, that is to say, every one of the shal seale with the seale to his charge committed, all maner of originall writs & proces returnable before the said Justices, at the Sessions to be holden in every of the said Shires, in maner and forme as is aforesaid. And shal severally accompt and answer the Q. for the profits of y^e same seale. And none of the said Stewards, Chamberlaines, or Chancellours having the charge & keeping of y^e said seales, shal by occasion thereof, or by colour of any of their offices, compell, or cause any person inhabited within any of y^e said iiii. Shires, to appeare before the selues, or their deputies. He shal have power to heare or determine any p^lces of y^e crowne, nor other causes or matters of Justice, otherwise then in this ordinance is limited: But shal have y^e charge & keeping of the said seals to seale al original writs & proces, as shalbe returnable before y^e said Justices in their said sessions, as is aforesaid specified, and as hereafter shalbe declared, which writs & proces shalbe used, made, sealed, & returned in maner & forme, as hath bene used before y^e Justices in Northwales. 34. H. 8.

What shall be sealed with the original seales.

12 ¶ All such persons as be or shall be y^e Quenes Stewards, Chamberlaines, or Chancellours, within any of the iiii. Shires, which by reason of their said offices, have charge for the receipt, collection, or accompt, of, & for the Quenes rents, revenues, farmes,

Proces against accomptants.

VVales.

oꝝ pꝛofites, to bee due to her Maieſtie within the ſaide dominion of Wales, may direct pꝛoces vnder the ſaid ſcale being in their charge and cuſtody, within the limits of their aucthozities, onely againſt Bailiffes, Receues, Farmers, and oꝛper minifters accomptant, to appeare befoze them ſelues, to anſwere to and foꝝ any the Quenes reuenues, ſermes, rentes, oꝝ pꝛofites, and foꝝ none other cauſes, noꝝ againſt any other perſon oꝝ perſons in like maner, as they haue ben accuſtomed in that caſe to do. 34. H. 8.

iii. Judiciall
ſeales.

I 3 ¶ Beſides the ſaid original ſeales, there ſhalbe iiii. Judicial ſeales, deuſed by the M. wherof one ſhal remaine with the Juſtice of Cheſter, which is appointed to be Juſtice of Flint, Denbigh, and Mountgomery, to be vſed within the ſaid ſhires, to ſcale all Juoꝝyꝝ al pꝛoces, and bills that ſhalbe ſued befoze the ſayde Juſtices in the ſeſſions to be holdē within the ſame ſhires. And one other of þ ſaid judicial ſeales ſhal likewiſe remaine and be in the charge and cuſtodie of the ſaid Juſtice of Northwales. And the third of þ ſaid ſeales ſhalbe & remaine in the cuſtody and charge of the Juſtice of the iii. ſhires of Glamorgan, Brecknock, & Radnoꝝ. And the iiii. of the ſaid ſeales, ſhal remaine in þ charge & cuſtody of the Juſtice of the ſayde iii. ſhires of Dembroke, Carmarthe, & Cardigan. And the ſaid Juſtices ſhal ſcale with the ſaid Judicial ſeales, vꝝ. euery of them with the ſcale committed to his charge & cuſtody, al well all bills, as all oꝛther Judicial pꝛoces, þ ſhalbe ſued befoze them in the ſaid ſeſſions, vpon any original bills oꝝ writs. And all other pꝛoces that ſhall be awarded from any of the ſayde Juſtices, ſhalbe ſealed with the ſaide Judicial ſcale. 34. H. 8.

What ſhall be
ſealed with the
judicial ſeales.

Juſtices accoꝝpt
foꝝ the pꝛofits
of the ſeales.

Teſte of iudici-
al pꝛoces.

Writs ſealed
with the origi-
nal ſcale.

Peꝛſonall acti-
oꝝ of xl. s. oꝝ
above.

I 4 ¶ Euery of the ſaid Juſtices ſhal accoꝝpt and anſwere to the M. foꝝ the pꝛofits of the ſaid ſcale being in his charge & cuſtodie in maner and foꝝme as hereafter ſhalbe declared. 34. H. 8.

I 5 ¶ The reſte of euery bill & iudicial pꝛoces, þ ſhall paſſe vnder the ſaid Judicial ſcale, ſhalbe vnder þ name of ſuch of the ſaid Juſtices, from whom ſuch bill oꝝ iudicial pꝛoces ſhal paſſe, in like maner and foꝝme, as is vſed in the common ples in England. 34. H. 8.

I 6 ¶ All actions real & mixt, attaints, conſpiracies, aſſiſes, and Quare impedit, appeales of murder, & felony, & al actions groundēd vpon any ſtatutes, ſhalbe ſued by original writs, to be obtained and ſealed with þ ſaid original ſcale, returnable befoze the ſaid Juſtices, at their ſeſſions, within the limits of their aucthozities, in maner & foꝝme, as is befoze mencionēd. 34. H. 8.

I 7 ¶ Al maner of peꝛſonall actions, as debt, detinue, treſpas, accoꝝpt, and ſuch like, amounting to the ſumme of xl. s. oꝝ above, ſhal be ſued by writtes original, to be obteyned and ſealed, as is aforeſaid, oꝝ by bills at the pleaſure of the party ſuing the ſame befoze the ſaid

said Justices within the limittes of their authoritties, as is vled in Northwales. 34. H. 8.

18 ¶ All personall actions, vnder þ̄ sumes of xl. s. vj. debt, trespas, detinue, accopt & such like, shall & may be sued befoze any of the said Justices in the said sessions by bill, as is vled in Northwales, (But there shal no suit be taken befoze any the said Justices, by bill vnder xx. s.) And every originall bill concerning actions personals, shalbe sealed with the Quenes iudicial seale, being in the custody of the said Justice befoze whom such personall actions, by byll shall be brought and commenced. 34. H. 8.

Personal actions vnder xl. s.

No suit befoze Justices vnder xx. s.

19 ¶ Such fees shalbe payed for the wryting and sealing of such originall writs & bills, as hereafter shalbe expressed, vj. s. for the sealing of every originall writ to be sued in and vpon the causes aforesaide, & for every bill to be pursued in actions personals, whereof the debt & damages amounteth to the summe of xl. s. or aboue, the parties pursuing the same, shall pay for the seale of every such writ or bill, vi. d. & for every iudicial proces to be sued vpon any such writ or bill, þ̄ parties pursuing such iudicial proces, shal pay for the sealing thereof vii. d. whereof the Quene shall haue vi. d. And the Justice sealinge such iudicial proces shall haue i. d. And every bill in personall actions wherof. þ̄ debt, duetie, or damage amounteth not to xl. s. & al maner iudicial proces to be sued vpon the same, shall also be sealed with the Quenes said iudicial seale, & the parties pursuing the same, shal pay for the seale of every such bill, and iudicial proces therevpon to be sued iii. d. whereof the Quene shall haue ii. d. and the Justice sealinge such proces, shall haue i. d. An. 34. H. 8.

Fees for wryting & sealing of originall writs & bills.

20 ¶ All writs of Scire facias, and writtes of good abearing, or for the peace, or writs of Superfediis vpon the same, and all other proces to be sued frō þ̄ said Justices, vpon any recorde or suggestion admitted by any of the saide Justices within the limits of their authoritties, shall also be sealed with the sayde iudicial seale, and the parties pursued for the same, shall paye for the seale of every such writ and proces seven pence whercof the Quene shall haue five pence, and the Justice by whom such proces shalbe sealed one peny. And every exemplification vpon any recorde befoze any of the sayde Justices shalbe sealed with the Quenes iudicial seale, and the parties pursuing the same, shall pay for the seale thereof twenty pence, whereof the Quene shall haue sixteene pence, and the Justices sealing the same foure pence. 34. H. 8.

Proces sealed with the iudicial seale, & the fees.

Exemplification

21 ¶ Recoveries, and fines, concordres, and warrants of atturney for the same, shall and may bee taken befoze every of the sayde Justices of lands, tenements, and hereditamentes within his authoritie, by force of his generall Commission, without any writ of

Recoveries, Fines.

Wales.

Dedimus potestatem to be sued for the same, in like maner & for me, as is vled to be taken befoze the Quenes chiefe Justice of her common place in Englande. And al fines leuted befoze any of the sayde Justices, with Proclamation made the same sessions that the saide fine shalbe ingrossed, and in two other great Sessions then next to be holden within the same Countrey, shall be of the same force and strength to all purposes, as fines leuted with Proclamation bee of, that be leuted befoze the Justices of the Common place in England. 34. H. 8.

*Fines for writs
of entrie, and
covenant.*

22 ¶ Every person suing writs of Entrie in the Host, or writs of Covenant, or any other writs for any recovery to be had by assent of parties or otherwise, or for any fine to be leuted, shall pay such fines to the Quenes vlc for the same, as well fines Pro licentia concordandi, as all other manner of fines, as is vled in h Quenes Chauncerie, or els where in any of the Quenes Courtes of England: which fines shalbe pated to such persons as shall seale the original writs for that purpose, and they shal accompt for the same, in like for me, as they shal do for the profits of the said original seale, as is aforesaid. 34. H. 8.

Quenes silver

23 ¶ The Quenes silver upon every fine to be leuted shall be pated as is vled in the common place of Englande, viz. ii. s. which Quenes silver shall be payed to the Justice befoze whome such fine shall be leuted, whereof the Quene shall have xx. s. and the Jrenotary entring the same, shall have ii. s. and the Justice befoze whom such fine shall be leuted, other ii. s. And the same Justice shall accept for the Quenes part thereof, like as he shall for the profits of the Quenes iudicial seale committed to his charge in maner & for me, as is aforesaid. 34. H. 8.

Errors.

24 ¶ All Errors & Judgemets befoze any of h saide Justices at any time of h great sessions, in ples reals, or mixt, shalbe redressued by writ of Error to be sued out of the Quenes Chauncery of England, returnable befoze the Quenes Justices of her benche in England, as other writs of Error be in England. And all errors in ples personals shalbe reformed by bills, to be sued befoze the saide President & Counsel of Wales frō time to time, as the J. græned will sue for h same, & if in case h iudgement be affirmed good in any of the saide writs of Error, or bills, then there to make execution, & al other proces therupon, as is vled in the kings bench in England, and the pursuants in every such writ of Error or bill, shall pay like fees therfore, as is vled in England. 34. H. 8.

Falle iudgemets

25 ¶ No execution of any iudgement to bee given in any base Court shalbe staied or deferred, by reason of any writ of false iudgement, but execution shall and may be had and made at all times befoze

before the reuerfall of the sayde iudgement, the pursuit of the sayde writ not withstanding, and in case the sayde iudgement happen after to be reuerfed, then the partie pursuant shalbe restozed to all that he hath lost, by the saide iudgement, according to the lawes of the Realme. 34. H. 8.

26 ¶ Al proces for bzgent and weighty causes, shalbe made and directed into Wales by the special commandement of the Chauncellour of England for the time being, or any of the Quenes counsell in England as hath bene bled, any thing in this act to the contrary notwithstanding. 34. H. 8. Weighty causes.

27 ¶ There shalbe iiii. Jbenotaries for the making of all Judiciall proces, and for the entering of al ples, proces, & matters of record in the sessions, to be holden before the said Justices, wherof one of the said Jbenotaries shall attend upon the said Justice appointed for the iiii. shires of Northwales. And one other shall attend upon the Justice assigned for the iiii. shires of Flint, Denbigh, & Mountgomery, and the third shall attend upon the Justice assigned for the iiii. shires of Carmarthen, Cardigan, & Pembroke, and the iiii. of the said Jbenotaries shall attend upon the Justice assigned for the iiii. shires of Glamorgan, Brecknock, and Radnor, and these iiii. Jbenotaries, as often as their said offices shalbe voyde, shalbe named & appoynted by the Quene, by her letters patentes, vnder her great seale of England. 34. H. 8. 4. Jbenotaries.

28 ¶ Every of the said Jbenotaries within the limits of their offices, shall take such fees as hereafter be expressed, viz. for the writing of ples, and ingrossing of writs of entrie in the Writ, writs of right, Quod ei deforciat, or any other writs pursued by the assent of the parties v. s. & if it be with a double voucher, then vi. s. viii. d. And for the exemplification thereof ii. s. & for the engrossing of fines, to have for every fine iii. s. iiii. d. & if it be with proclamations, then iii. s. Item for every bill of debt, detinue, trespass, and al other actions personals sued before the said Justices in their circuits vnder the summe of xl. s. the Jbenotaries shall have for the first bill iiii. d. for the second bill iiii. d. & for the third bill iiii. d. & for the entrie of every declaration, plee in barre, replication, & rejoinder in & upon every such actions, so that he do inrol the same in parchment iiii. d. And for every venire facias, Tales, Habeas corpora, & distring. in the same actions iiii. d. and for the iudgement iiii. d. and for every writ of execution, in every such action vi. d. & for every warrant of attorney in every such action, aswel for the plaintiffs, as for the defendants iiii. d. Item in al actions of detinue, trespass, & all other actions personal, wherein the duety, debt, or damage amounteth to the summe of xl. s. or above, which shall be sued by bills before the said Justices, the Jbenotary shall have for the first bill Jbenotaries fees.

Wales.

bill liii. s. for the secōd bil liii. s. & for the thīd bil liii. s. & for every declaration, answeare, replicatō, & rejoinder if it be inrolled in parchment viii. s. & for the venire facias, Tales, Habeas corpora, & distring. for every of the vi. s. for the iudgement viii. s. & for the warrāt of attorney liii. s. & for every writ of execution vpon the iudgement in such bills vi. s. Item in original writs sued vpon every actiō personall returnable before y^e saide Justices, the Pronotaries shal have for every Iterum summon vi. s. for every districte in trespass vi. s. and for y^e declaration viii. s. for the answer, replication, and rejoinder for every of them, if they be inrolled and ingrossed, as is abovesaid, xii. s. for the Venire facias, Tales, Habeas corpora, and distring. for every of them six pence, and the Pronotaries shal have for the Entrie of the iudgements in every such action twelue pence, and for every writ of execution sued vpon the same vi. s. and for the exemplification of every recozd in any of the saide actions ii. s. for every warrant of attorney four pence. In al actiōs reals and mixt, Quare impedit, appeales of felony, murder, or maihem, the Pronotarie to have for the declaration or plaint ii. s. & for the pleē in barre, replication, rejoinder, surrejoinder for every of the, if they be inrolled as is abovesaid xx. s. and for the writting of every venire facias, Tales, Habeas corpora, & distring. vpon y^e same for every of the vi. s. & for y^e entrie of y^e iudgement in every of y^e saide actions & appeales ii. s. & for y^e writting of y^e writs of executiō made vpon every of y^e saide actiōs, appeales, & assises xii. s. & for writs of Grand cape, & petit cape, & writs of view, writs vpon voucher, & all other writs, in every such actiō or actions xii. s. & for every warrāt of attorney for y^e defendāts, or for the demandants, or plaintifes in every such action reall, assise, appeale & Quare impedit. liii. s. & for the essones in every such action liii. s. & for y^e adiournmēt ii. s. & for the baile of every person of felony xii. s. & for the baile for trespass vi. s. & for the apparance and bailinge of cōmon mainprise ii. s. Itē for writting of writs for y^e peace & good abearing graunted by any of the saide Justices in their sessions vi. s. & for the entring of every recognisance, to be had & taken before the saide Justices, for every cause or causes, other the before is expessed xii. s. and if it be with condition then ii. s. and vpon every acquittall & deliuerance of felons, or murderers by verdict, or by allowāce of pardon, the Pronotaries shal have ii. s. & if it be vpon indictments certified from the Justices of y^e peace before y^e Justices of y^e great Sessions, the Clerke of y^e peace shal have also xii. s. and vpon deliuerie of any suspect of felonie or murder, by Proclamation, the saide Pronotarie shal have twelue pence. 34. B. 8.

Marshall, Crier

29 ¶ There shalbe a Marshall & a crier in every of y^e circuits & limits allotted to the saide Justices, which shal be named by the saide Justices

Justices within the limits of their auctoritie & commission, in like manner & forme, as Justices of assise do in Englañd, & the said officers shal attend vpon the said Justices in their circuits in their owne proper persons, & not by their deputies, & the Marshall shal haue vpon every iudgement, & every fine iii. d. & the crier i. d. & vpon every acquittall of felons, & of them y^e shalbe deliuered by Proclamatiō, or deliuered out of common mainprise, before any of y^e said Justices, y^e Marshall shal haue iii. d. and the Crier a peny. 34. H. 8.

30 ¶ Ouer and besides the said President, and the Counsel and Justices of Justice, there shalbe Justices of peace, and Quorum, and on Cust. peace. tos rotulorum in every y^e said xii. shires. And y^e said Justice of peace Justices of Quorum & Custos rotulorum, in the sayd shires shal be named and appointed by the Chancelor of England, by commission vnder the Quenes great seale of England, by y^e advise of the President, Counsell, and Justices aforesaid, or iii. of them, of the which the said President to be one, from time to time as the case shal require. And there shal not excede the number of viii. Justices of the peace in any of the said shires, ouer & besides the President, Counsaile, and Justices aforesaid, and the Quenes Atturney, and Solicitor: which President, Counsaile, Justices, and the Quenes Atturney, and Solicitor shalbe put in every commission of peace, in every of the said xii. shires. 34. H. 8.

31 ¶ Such persons as shalbe named to be Justices of peace within every of the said shires, shalbe of good name, & fame, and after they be assigned by commission, may vse and exercise the office of y^e Justice of peace, albeit they may not dispend xx. li. nor to be learned in y^e lawes of the land, wout any losse, damage, or penalties for insufficiency of their lands, & every of y^e said Justices of peace, before they shal execute their commission, shal take their othes before y^e Chancelor of England, or els before the said President, or one of the said Justices in Wales, by vertue of the Quenes writ of Dedimus potestatem, or before any other person to be limited by the lord Chancelor of England for that purpose, y^e contents of which othe shal be after y^e forme, as Justices of peace in England vse to make. 34. H. 8. S. Justices of peace 4.

32 ¶ The said Justices of peace, or two of the at the least, whether of one to be of the Quorum, shal & may kepe their sessions within the limits of their commissions, iii. times in the yeere, & at other times vpon vrgent causes, as Justices of peace in England vse to do, & shal haue like power & auctority in al things, & fees of y^e R. for the time of their sitting, as wel for theselues, as for their clerks, & shalbe bound to vse & do their offices in like manner, as is vled in England. 34. H. 8. S. Justices of peace 5, 6.

VVales.

Fees of the Justices, & Clerkes of the peace.

33 ¶ No Justices of peace, Clerke of the peace, nor other clerke of any Justices of peace in wales, shal take for the writting of any warrant of the peace, or good abearing above vi. s. & for the entring of pledges or borowes to pay to the D. fine upon any indictment ix. s. and if it be with protestation, then to take xii. s. for a Superfediās not above viii. s. and for a recognisance xii. s. An. 34. H. 8.

Certificat of recognisance.

34 ¶ All the said Justices of peace shal certifie al recognisances take before any of the for the peace, or good abearing into their sessions, next to be holden after the taking thereof, & recognisance take before any of the for suspicious of any maner of felony, shal be certified before the Justices in the great Sessions, next to be holden after the taking thereof, without concealement, detaining or imbecelling of the same, upon such penalties & daungers, as be thereto ordained & established. 34. H. 8. S. Justices of peace, 102. 103.

Afforcement of fines & amerciaments.

35 ¶ Al fines & amerciaments before the said Justices of peace to be lost, shalbe taxed, & assessed by ii. Justices of peace at the least, whereof one to be of the Quorum, & all such fines & amerciaments shalbe set truly and duly, according to the quantity of the offences, without parciality, or affection, & the said fines and amerciaments, & also all issues lost before the said Justices of peace, & all forfeitures of recognisances, & other forfeitures before the same Justices, shalbe verely extreated by the clerkes of the peace into the Eschequer, appointed for that limite, to the intent that proces may from thence be awarded for the leuying of the same forfeitures & summes of money to the Quenes use, to the sherife of every Countie, as shal appertaine, who shal make thereof their accōpts before such auditors as therunto shalbe assigned, so that the Quene may thereof be truly & truly answered and satisfied, which auditors shal make due allowance to the same sherifes for the fees of the Justices and Clerkes of the peace upon their saide accōpts as is used in England. 34. H. 8. S. Justices of peace 7.

Fines forfeitures & amerciaments extreated.

Justices and Clerkes fees.

Sheriffes.

36 ¶ There shal be Sheriffes in every of the saide shires verely appointed by the Quene, & none of the said sherifs shal have their office of sherifewike any longer time then is used by the lawes & statutes of England, & for the verely nomination of the said sherifes the said lord President, Counsaile, & Justices of Wales, or iii. of them at the least, whereof the said President to be one, shal verely nominate iii. substantial persons in every of the saide xii. shires to be sherifs of the same, and shal certifie their names to the Lords of the D. Counsel, attending upon her graces person, Crastino animarum, to the intent the Quene being thereof advertised may appoint one of the in every of the said shires, to be sherif for the year after at her pleasure, like as her highnes doth for her Realme of England, & thereupon the saide sherifes

Their patentes.

Sheriffes shall haue their patentees and commissions vnder the great seale of England as Sheriffes of England haue, & shall make, & take othes & knowledges of recognisance befoze the President & Justices, or one of the, by vertue of the R. writ of Dedimus potestatem, to be directed for the same, for the due executiō of their Offices & for their iust & true accomptes, befoze the Quēnes Auditor or Auditoz as assigned for Wales. 34. H. 8. S. Sheriffes 4.

37 ¶ Every of the said Sheriffes shall haue full authoritie within the limits of their Sheriffewiches, to do and vse their offices as Sheriffes in England, & shall accomplish, & execut without any fauour, dread, or corruption, al manner of writs, proces, iudgements, & executions, & al common Justice appertaining to their Offices of Sheriffes, & al lawfull commaundements, & precepts of the said President, Counsaile, and Justices of Wales, & also of the Justices of the peace, Escheatoz, & Coroners, and every of them, in all thinges appertaining to their offices and authoritie. And the said Sheriffes shall doe, and be bounde to doe all and every other thing and things for the ministratiō of Justice, and for the conseruation of the Quēnes peace, and the approhēssion & repressē of Traitors, murderers, theues, felons, & other offenders, as Sheriffes of England do vse & be bound to do wth in the realme of England. 34. H. 8.

38 ¶ The said Sheriffes shall perely accōpt befoze such the Quēnes Auditor or Auditoz, as shall be assigned by the Quēne for her laide dominion of Wales, & every of the said Sheriffes shall haue perely for his fee v. li. 34. H. 8.

39 ¶ Every of the said Sheriffes shall haue a gaole for prisoners within some convenient place of the Castell of the Shire Towne where he is Sheriff, or in such other convenient place, as by the said President, Counsel, and Justices or iii. of the (wherof the said President to be one) shall be appointed. 34. H. 8. S. 5. Cl. 24. Prisoꝝ 1. &c. The Justices of peace of the Countie of Pembroke, Glamorgan, Cardigan, Radnor, & Mountgomery, haue authoritie to execut all th^{ing} concerning the building & newe making of Gaoles, in the sayd countie, as the Justices of peace & other persons of any of the countie contained in the statut provided in that behalfe. 23. H. 8. 2. may and haue authoritie to doe.

40 ¶ The Sheriffes countie, or there courtes of the Countie of Brecknocke, shall be holden at Brecknocke, of Radnor at new Radnor & Preston, of Mountgomery, at Mountgomery, & Maghenleth, of Denbigh, at Denbigh & Warrha, of Monmouth, at Monmouth and Petworth, A kernis vicibus. 27. H. 8. 26.

41 ¶ The Sheriffes shall keepe their countie monethly, & their hundred courts for pless under xl. s. as is bled in England, and shall take

The Sheriffes
authoritie.

Sheriffs accōpt
befoze auditoz.
The Sheriffes fee.

Gaoles.

County courts

County courts
kepe monethly.

take for the entring of plaints, procs, pleas, & iudgements in y^e said shire Courts, & hundreds, such small fees, as are vsed to be taken in shires & hundreds in England and not aboue. 34. H. 8.

Trial before
Sheriffes or
Stewards.

42 ¶ All trials before them in their said Courtes, or before any Stewards in Court barons, shalbe by wager of lawe, or verdict of vi. men, at the pleasure of the party plaintiffe or defendat that pleadeth the plea. 34. H. 8.

Sheriffes
turnes.

43 ¶ Every of the said Sheriffes shal kepe their turnes yerely after Easter & Michalmas, as they haue bene vsed in England & the W. shal haue al forfaitures, fines, amercements forfaited in any of y^e said counties, hundreds, courts & turnes to her own vse, & the Sheriff shall accompt for the same accordingly. And y^e Sheriffes of the said turnes, counties, & hundreds shalbe viewed, & the fines, amercements, offered by the Justices of assises of that circuit, before y^e leuying of y^e same amerciaments, or other forfaitures, & no Sheriff or any of his officers shall presume to gather or leuy any such amerciamment, or other forf. before y^e said retrote be so offered, vpon paine to forf. to the Duties vsed xl. s. 34. H. 8.

Retrote after:
red by the Jus-
tices of assise.

Execution vpon
a iudgement in
the Sheriffes
court.

44 ¶ The Sheriff vpon every iudgement had before him in his County, or hundred court, in any plaint vnder xl. s. shal and may award a Capias ad satisfaciendum, to arrest the partie condemned or els a Fieri facias at the libertie of the party. 34. H. 8.

Sheriffes fees.

45 ¶ All bills sued before y^e said Justices in personal actions where of the debt, dutie or damage is vnder xl. s. y^e Sheriff shal haue for the returne of every bill ii. d. And for every Venire facias, Tales, Habeas corpora, et Distringas ii. d. & for writs of execution vpon y^e iudgemēt in any such bill iii. d. and in bills sued before the said Justices in actions personales aboue y^e summe of xl. s. y^e Sheriff shall haue for y^e returne of every such bill iiii. d. And for y^e returne of every venire facias, Habeas corpora, Distring. & Tales iiii. d. & for every writ of execution ii. s. & in al personal actions sued by original writs returnable before the said Justices, y^e Sheriff shal haue for every Iterum summon, distringas, & alias distringas iiii. d. and for every Venire facias, Habeas corpora, distring. & Tales vi. d. & for every writ of execution to be executed vpon the iudgemēt in such actions ii. s. for the seruing of every writ of Elegit vi. s. viii. d. and in al real actions, or mirt pursued before y^e said Justices by original writ, for returne of every original writ ii. s. & for returne of every other writ and Judicial procs depending vpon the same before iudgement ii. s. & for every writ of execution after iudgement vpon every original, in actions real of mirt, two shillings, and for seruinge of every writ of Haberi facias seisinam. vi. shillings viii. d. And for attachmentes vpon Capias, or other procs sued before the laide Justices by original or iudicial writ

Writ, if he returne Capi corpus, two shillings; and for a Redditi se
upon an Writ of Felony, in Appeal of murder, or maim, or upon
any indictment of felony, or murder, two shillings; and upon a
Redditi se, upon an Writ of debt, trespass, detinue, and all other
actions personales, twelve pence; and for the making of repledge
twelve pence, and a Libernant upon the same twelve pence, for the
returne of every writ of appeale of murder, felony, or maim, twelve
pence, And upon all other processe growen upon y^e same, as venire fa-
cias, Tales, Habeas corpora, et distringas r^uid. And in every actiō ta-
ken before the Sherifes by Justices, for the summons therout in. v.
And for every other processe, hereupon in. v. And for every prisoner
delivered by acquittall, or by Proclamation for any manner of felony
in. 3. 4. v. 8.

¶ Every Sherife within the limits of his authoritie, may and
shal put such persons under comon mainprise, as they have reasona-
ble cause of suspect, binding such as they shal to put to comon main-
prise with it, sufficient sureties with them, by recognisance, to appeare
before y^e Justices within their limits of their authorities at y^e next
great sessions to be holden next after y^e taking of such bands, & shal
certifie the names of them that be bound before the said Justices at
the said sessions accordingly, without concealement thereof at their
pleasure. 3. 4. v. 8. And the recognisances of such comon mainprise, &
inertie of appearance taken before any of the said Sherifes, shalbe as
good and effectual, as if it were take by any Justices of record. And
every person & persons within y^e Counties of Brecknocke, Radnor,
Montgomery, Denbigh, Glamorgan, Carmarthen, Pembroke, &
Cardigan, or any of them, put under comon mainprise, & bounde
to his or their personal apparance, as wel by the foresaid Sherifes, as
by the Justices of any of the said counties, shal keepe their apparance
before y^e said Justices at every Sessions, within y^e said counties to be
holden in such like manner & forme, as is bled in the thre Shires of
Northwales. 2. 7. v. 8. 2. 6.

¶ Every person that the Sherife taketh to comon main-
prise, to appeare before the said Justices, as is aforesaid, shal pay for
his mainprise li. v. & not above. And the said Sherife shal put no man
to comon mainprise, but such as be suspect, and as shalbe returned
by them, before the said Justices at their Sessions, as is aforesaid.

¶ And the said Sherife shal have for the returne of a writ of
false judgement out of a base Court, before y^e said Justices in. 9. And
the said Sherife shal take no manner of fee for the returne of any of y^e
said writtes of execution before expressed, viles he returne the same
executed. 3. 4. v. 8.

Suspect persons
under main-
prise.

The Sherifs fee
for mainprise.

The fee for re-
turne of a writ
of false judg-
ment.

The Sherifes
deputies.

Bailifes of
hundredes.

Eschetors.

Coroners.

Constables of
the hundred.

49 ¶ S. I. Ch. 6. 10. Exigent 7. that every Sherife of the said xii. counties in Wales, & of þ countie palantine of Lancaster, Chester, & of þ cite of Chester, shall haue in euery of the courts of the kings Bench, & commo pleas, one sufficient deputie at the least, to receiue writs directed to such Sherife &c.

50 ¶ The Sherife shall make þ bailifes of hundredes, & they shall attend vpon þ Justices in euery of their courts & sessions. 34. H. 8.

51 ¶ Eschetors shalbe named in euery of the said shires by the Lord Treasorer of Englande, by the aduise of the saide President, Counsel, & Justices, or iii. of them at the least, whereof þ saide President to be one, which Eschetors shal make & take their othes, and knowledg their recognisances befoze the saide President or one of the said Justices, by vertue of the Quenes writte of Dedimus potestatem to be directed for the same, for þ due execution of their offices, & for their true accoþt to bee made befoze þ Quenes auditor or auditors, to be assigned for the same, which oth & recognisance shall be agreable to the oth & recognisance vsed for the Eschetors in Englande, & the Eschetors shall verely haue their patentess & commissions vnder the great seale of Englande, & shal haue power to exercise their offices in like maner & forme as Eschetours in Englande: and shalbe bound to all lawes & statutes of Englande. And all such persons as shalbe appointed to þ said offices, shall & may exercise their offices, if they may dispende verely v. li. of free holds, any statutes of Englande to the contrary thereof notwithstanding. And euery of the said Eschetors shal make their accompts verely befoze such auditor, or auditors, as shalbe assigned by þ Quene, to heare & determine her accoþt, for her reuenues & profitess of the saide dominion of Wales. 34. H. 8.

52 ¶ There shalbe ii. Coroners to be elected in euery of the said xii. shires as is vsed in Englande, by vertue of the Quenes writ de Coronatore eligendo to be awarded out of the Quenes Chancery of Englande. And the said Coroners shal haue like auctorite to doe and exercise their offices, and haue like fees, as is limited by the lawes and statutes of Englande. Provided alwayes that the writte de Coronatore eligendo, to chosse the Coroners within the said Countie of Flint, shalbe directed out of the Eschequer of Chester. Anno 34. H. 8.

53 ¶ The saide Justices of peace, or two of them at the least whereof one of the to be of þ Quorum shal appoint & name in euery hundred within the limites of their commission two substantiall gentlemen, or peomen to be the chiefe Constables of the hundred wherein they inhabite, which two Constables of euery hundred shall haue speciall regarde to the conseruation of the Quenes peace, and shal

shal and may do & vse their offices in all & singular things as is vled by the high Constables of the hundzeds in England, & shalbe bound to al thinges as high Constables of the hundzedes in Englande bee bound to. 34. H. 8.

54 ¶ All Stewarδες of any Lordships, oz manors in Wales, shal & may keepe and hold such Lētes, Lawdayes, & Court barons, as appertayneth and belongeth to y^e Lordships & manors whercof they be Stewarδες, & hold ples by plaint vnder the summe of xl. s. in euery such Court baron, & haue & enioy al other aucthorities, cōmodyties, & profits, as Stewarδες of Lētes, Lawdayes, & Court barons in England commonly haue & ben vled to haue by reason of the said offices & none other, any law, custome &c. in the said Dominion of Wales notwithstanding: But the said Stewarδες noz any of thē, noz the Sherife of the said counties in Wales, shal haue any aucthoritie to enquire of any maner of felonie in any such lēte, lawday, oz turne, within the said dominion to be holden. And no lēte, noz lawday shalbe kept by the Steward oz other officer of any Lordship oz manor in the said dominion of Wales, but in such Lordships & places where it was accustomed to be kept, befoze the making of y^e Statut of 26. H. 8. so alwaies the place where such court shalbe kept bee mēte & conuenient for that purpose. 34. H. 8.

Stewards of Courts.

No Sherife oz Steward shal inquire of felonie.

55 ¶ All Maiors, Bailiffes, & head Officers of corporat towne in Wales may hold ples, & determine actions, and do euery ocher thing concerning common Justice, according to their lawful graunts & lawdable customes of such towne, so alwaies they follow y^e course, trade, & fashion of the lawes & customes of the Realme of Englād, & not of any welsh lawes oz customes. And in euery of y^e said towne they may trie al issues ioynd in any action personal by vij. men, accordinge as heretofore in diuers places of the sayd countrey it hath ben vled, any thing in this act &c. notwithstanding. 34. H. 8.

The officers of corporate Townes.

56 ¶ The Aulneger in Wales, by him selfe, oz his sufficient deputie oz deputies, shal in al things to his office appertayning doe, & be bound to do, & aunswere in euery case like, & accordinge as all and euery Aulneger in England do oz ought to do, according to y^e lawes & statuts of the Realme of England. And for the contrarie doing oz exercising of the said office, shal in euery case & degree suffer, as by y^e said lawes & statuts is ordained for Aulnegers, vnder y^e Treasorer of England for the time being. 34. H. 8.

Aulneger.

57 ¶ Al Justices, Commissioners, Sherifes, Coroners, Esche- tores, Stewarδες, & their Liuetenants, & al other Officers, & Ministers of the law, shal proclaim & keepe the sessions, courts, hūdzeds, lētes, Sherifes courts, and al other Courtes in the English tongue, & al Diſhes of officers, iuries, & enquests, & al other Affidauits, verdicts,

All Court &c. kept in the english tongue.

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No ble of
welsh speech
by officers.

and wagers of lawe shalbe geue & done in the English tongue, & also no person or persons that vse the welsh speech, or language, shal haue or enioy any maner office or fees within the Realme of Englands, Wales, or other the Quenes dominions, vpon paine of forf. y same offices or fees, vnles he or they vse y speech or language of English. 27. H. 8. 26.

Fees rated by
the President
& Council.

58 ¶ In al and euery writs original or iudiciall, or other proces ples, or writings which be not expressed in this ordinance, the fees thereof as wel for the seales, as writing, shalbe rated by y said President Counsel, & Justices, or thre of them, whereof the sayd President to be one, by their discretions from time to time as the case shal require, & they shal haue full power from time to time to aslesse & appoint what fee y said Sherifes, Eschetors, & Coroners & their ministers, prenotaries, & their clarkes, & other ministers of Justice in the said shires shal haue of y Quenes subiects for any maner writs plaintes, ples, proces, returns, or any other matter or thinge concerninge, or belonging to the execution of their offices & robes, & to augment or diminishe any fee or fees, aboue declared, as shalbee thought by their discretions to bee conuenient & meete for y comon wealth of y M. subiects of those parties of Wales. 34. H. 8.

All officers obe-
dient to the Pre-
sident Counsel
& Justices &c.

59 ¶ All Maiors, Sheriffes, Stewards, Bailiffes, & other ministers and officers of Justice of euery countie, Lordship, Towne & place within y said dominions of Wales, & all & singular y Quens subiects of the same, shalbe alwaies obedient, attendant, & assistinge to the said President, Counsaile, & Justices of Wales, and euery of them, and shal obey the Quenes commaundementis & proces fro them or any of them directed, & al the lawfull & reasonable precepts of the said President, Counsaile, & Justices & euery of the. And also shalbee obedyent to all the sayed Justices of peace, Sheriffes, and eschetors within the limits of their said auctorities, as well for comon administration, & due executio of Justice, as in al other things appertaining to their duties and offices. 34. H. 8.

No felon shalbe
put to his fine.

60 ¶ No person for murder or felony shalbe put to his fine, but suffer accordyng to y lawes of y realme of Englad, except it please y Quene to pardon him. And if y said Justices see cause of pitie or other consideratiō, they may reprie y prisoner, til they haue aduertised the Quene of the matter. 34. H. 8.

No man shal as-
sue with a felo.

61 ¶ If any murder or felony bee committed within Wales, then the partie to whom any such offence shalbe committed, shal in no wise take any end or agrement with y offendor in that behalfe, nor with any other in his name or behalfe, vnlesse the sayde partie first make the sayed President and Councell, or one of the sayed Justices p'stise vnto the same, vppon payne of imprisonment and
gracious

græuous fine, to bee sette and adiudged at the discretion of the sayde President, Counsaile, and Iustices, or two of them, wheof the sayd President to bee one. The same paine and penalties to extende as well to and against such as shal labour, moue, or procure anye such end or agrement made (although the same labour, motion, or procurement neuer take effect to make any end or agrement) as against him or them, with whom such end or agrement shalbe made, if the same happen to take effect. 34. H. 8.

62 ¶ No person or persons without lawfull aucthoritie, shall Tumults, make any rumors, tumultes, vnlawfull assemblies, or outcries at any of the said courts or sessions, nor any outcries, nor vnlawful assemblies in great numbers at any other time, except it be for apprehension or pursuing of murderers or felons, to paine of imprisonment, & græuous fine to be taxed & set vpon them by the said President & Counsaile, or by the Iustices or other officer before whom such misbehaviour shal happen to be committed. 34. H. 8. 4. H. 4. 27.

63 ¶ In case any fozeine plea, or voucher be made before anye of the said Iustices of Wales, betwene partie and partie, triable in any other shire within Wales, then where the sayde plea is pleaded or voucher made: Then the sayd Iustices before whom the same plea or voucher shalbe pleaded or made, shal & may send y^e Quenes writ, with a transcript of the recorde, mencioning the same fozeine matter of plea, or voucher, vnder the scale to hym committed, vnto the Iustice of y^e countie where the same matter shalbe triable, commaunding the said Iustice by vertue of the said writ to procede to y^e trial thereof, according to the Quenes lawes & statutes, which trial so before him had, he shal remaund with the whole recorde, vnto the Iustices before whom the said pleæ or voucher was pleaded or made, who therupon shal procede to iudgement, as the case shal require, And in case the same fozeine plea, voucher, or other matter so pleaded, be triable within the realme of England: Then the Iustice before whom y^e same pleæ or voucher shalbe pleaded, had, or made, shal & may procede to the trial thereof, as shal appertayne w^{thin} the same shire of Wales, where the same olde pleæ, voucher, or matter was pleaded, the said fozein pleæ, voucher, or any other thing or matter to the contrary thereof notwithstanding. 34. H. 8.

Voucher or
fozein plea.

64 ¶ All manors, landes, tenementes, meluages, & other hereditaments, and al rights and titles to the same, in any of the shires of Wales, discented to any maner person or personnes since the feast of the Natinitie of S. John Baptist. 33. H. 8. or that hereafter shall descend, shalbe taken, enioyed, v^{sed}, and holden as Englishe tenure to al intents, accordinge to y^e comon lawes of this realme of England, & not to be partable among heires males after the custome of Wales.

All lads in Wales
shalbe Englishe
tenure and not
gavelkind.

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Gavelkind.

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Gauellkind, as heretofore in diuers parts of Wales hath bene vled, And y^e same law from & after the said feast of S. John Baptift, in the said. 33. yere, shalbe vled, taken, & exercised in y^e said countie of Pom- mouth, & in al such Lordships, & other places, as by vertue of the act made. 27. H. 8. 26. Or by any other act or acts, made or to be made, were and shalbe annexed to any of the shires of Salop, Hereforde, Gloucester, or other shires, anye lawes or customes &c. not with- standing. 34. H. 8.

Mortgage of lands.

65 ¶ No Mortgages of landes, tenementes, or hereditamentes, made or had after the said feast of S. John Baptift, which was. 33. H. 8. or that hereafter shalbe had or made, within any of the sayde shires or places, shalbe allowed other wise, then after the course of the comō lawes & statuts of the Realme of England, any vlage, or custome &c. not withstanding. 34. H. 8.

Alienation of land after the English maner.

66 ¶ It shalbe lawfull to al persons, to alien, sell, or other wyse put away their lands, tenements, & hereditaments, within the said dominion of Wales, the Countie of Pommouth, & other places an- nered to any of the shires in England, fro thē & their heires to any person or persones in fee simple, or fee tayle, for terme of life, or for terme of yeres, after the maner & accoꝝding as is vled by the lawes of England, any Welsh law or custome heretofore vled in the said dominion of Wales to the contrarie thereof not withstanding: This article to take effect, from & after the saide feast of the Patuinitie of S. John Baptift. 33. H. 8. 34. H. 8.

Inheritors of wales bound by statut, or recog- nissance in Eng- land.

67 ¶ If any person or persons, hauing lands, or tenements with- in the said dominion of Wales, shalbe bound within the Realme of England by obligation, vpon the statut of the Staple, or by recog- nissance, & pay not the debt as shal appertayne: Then vpon certificat therof made into the M. Chauncery of Englande, by the clerke of y^e Staple, or by any Iustice of recoꝝd, before whom such recognisance shalbe knowledged, proces shalbe made to y^e sherifes of Wales, out of y^e Chauncery of Englād, after y^e forme as is vled to be made vpon statuts & recognisances by y^e course of the lawes of Englād, for due leuying & payeing of y^e said debt. But for such recognisances as shalbe taken & knowledged before y^e Duens Iustices of her Bench, or co- mō ples in England, proces shalbe had & pursued immediatly out fro y^e said Iustices, as is vled vpon recognisances taken before the Iustices by y^e comō course of the lawes of England. 34. H. 8.

What writs, bills, & proces shalbe vled.

68 ¶ All such writs, bills, plaintes, ples, proces, challenges, and trials shalbe vled thzough out all the shires aforesaid, before the said Iustices in their Sessions, as is vled in Northwales, or as shalbe deuised by the said President, Council, & Iustices, or thze of them, whereof the said President to be one, for the good ministratiō of Justice

Justice to be had in euery of the laid shires. 34. H. 8.

69 ¶ If any person or persons, their aunccestors, or they whose estate he or they haue, haue ben in peaceable possession of any lands or tenements in Wales, by the space of five yeres, without let, interruption, or lawfull claime: When the same person or persons shall still continue their possession, vntil such time as it be lawfully recovered against them by order of the Quenes lawes, or by decree of the President & Councell there. 34. H. 8.

70 ¶ Every person that hath any landes or tenementes in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, shall and may passe in al maner Iuries & trials, aswel in case of felonie or murder, as in all actions reall, personall, and mixt whatsoever they be, (Attaint onely except (and also may be impanelled. & inquire of al concealments, forcible entries, & other causes of inquirie for the Quene, albeit he may not dispende xl.s. by yere: Saving to euery man his lawfull challenge for any other cause, according to the lawes of the Realme of England. And no Iuroz shall passe in attaint, vnlesse he may dispende xl.s. by the yere of estate of freeholde. 34. H. 8.

71 ¶ See 5. Cl. 2 5. 14. Cl. 9. Iurours 2 I. That the demaundants & plaintifes, tenants & defendants in Wales, vpon request made to the Justices of the great Sessions, may haue a Tales de circumstantibus, where a full Iurie shall not appeare, or els after apparance of a full Iurie, where the Iurie is like to remaine vntake for default of Iuroz by challenge of any of the parties S. 34. H. 8. What trying the Iuroz in each case must dispend.

72 ¶ If any goods or cattels be stolen by any person or persons, & sold in any faire or market, within the said dominion of Wales, no such sale shall change the property thereof from the owner of the same, but he may lawfully seise, take, & haue the same againe, vpon proofe thereof made, the said sale notwithstanding. 34. H. 8.

73 ¶ No person or persons shall bargain or buy any manner of beast, or other quicke cattell in any place wthin Wales, out of the market or faire, vnles he can bring forth sufficient & credible witnesses of the name of the person, what place, and tyme he bought the same, vpon paine and daunger of such punishment and fine, as shall be sett vpon him, by the said President & Councell, or any of the said Justices in his circuit, for the said offence, and as he will thereto answer at

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at his further perill. 34. H. 8.

It is thus after
stollen goods.

74 ¶ If any goods or cattels be stollen within the limits of any of the said shires of Wales, then upon suit therof had and made the tract shalbe followed, from to wne ship to to wne ship, or Lordship to lordship, according to the laws & customes in that behalfe heretofore vled in Wales, upon such penaltie & daunger, as heretofore hath bin accustomed. 34. H. 8.

The Q. shal
haue al eschetes

75 ¶ The Quene shal haue all felons goods, & goods of persons outlawed, wayle, strapes, and all other forfeitures & eschetes whatsoeuer they be, answered thereof by the handes of the shirifes, hauing alwaies the rights & interests of euery of her subiects, hauinge lawful title to haue the same. 34. H. 8.

The persons
in heritaunce
saue.

76 ¶ This act of 34. H. 8. or any thing therein contayned, shal not be prejudicial to any person or persons or bodie politique, for or concerning any lands, tenements, rents, seruices, bondmen, tolls, or other hereditaments, but they & euery of them, their heires, successors, & assignes shal haue & enioy their lads &c. in such like maner as they had the same before the making of this act. 34. H. 8.

Liberties of
Duchp.

77 ¶ Al liberties, franchises, & priuileges of the Duchy of Lancaster, or in any wise appertaining to the same, shalbee of the same force, & condition, & may be vled in as large & ample maner, as they were before the making of this act, any thing &c. notwithstanding. 34. H. 8.

Actions sued in
the countie of
Monmouth

78 ¶ All actions reals that shalbee commenced or sued for any lands, tenements, or hereditaments, or any other thing within the countie of Monmouth, & al actions personals wthin the same shire, of the summe of xl. s. or above. And al actions mixt shalbe sued by original writ, out of the Chauncery in England, & heard, determined, and tried before the Quenes Justices in England, by Assise, or Nisi prius, wthin the said County of Monmouth, in such like maner, forme, & wise, as al other actiōs reals, personals, and actions mixt be sued, heard, determined, and tried in or for any shire of the realme of England. 27. H. 8. 26.

Trial of Nisi prius
in the countie
of Monmouth

79 ¶ The Quenes Justices of her bench, or of the common Bench at Westm. haue full power to direct all maner proces to the Sherife, & al other officers of the said County of Monmouth, & also to direct writs of Venire facias to the same Sherife for the trial of euery issue ioined before them, and also to award Commissions of Nisi prius into the said County of Monmouth, for the trial of such issues ioined before the, in like maner & forme as they do into euery shire of this Realme of England. 27. H. 8. 26.

Inhabitants in
Monmouth or
bedient to the
law & statutes
of England

80 ¶ Al and euery the Quenes subiectes & inhabitants wthin the said County of Monmouth, be bound to be obedient and attendaunt to the Lord Chaunceloz of England, the Quenes Justices, & others the

the Quenes most honorable counsell, and vnto al lawes, customes, ordinaunces, and statutes of this realme of England, in like maner, forme, and wise, as al other the Quens subiects win every shire of this realme of England be bounden. 27. H. 8. 26.

81 ¶ The Sherife of the said Countie shal hold plea of Replegi: are, & al other suits & plaints vnder rl.s. in his countie o: shire court, in like maner & forme, as all other Shirifes do within this realme of England. 27. H. 8. 26. Of what thing the Sherife of Monmouth shal hold plea.

82 ¶ The Shirife, Eschetors, and Coroners that be within the said Countie of Monmouth, bee bounde to execute all the Quenes processe, and to make due returnes thereof, and to vse and exercyse their offices according to the lawes and statutes of this realme of Englande, in all and every thing, as the Shirifes, Eschetors, & Coroners, be bound to do in al and every other shire of this Realme of England. 27. H. 8. 26. The Shirifes, Coroners, Eschetors duty.

83 ¶ The Sherife & Eschetors of the said shire of Monmouth shalbe appointed by the Quene, shal make their accompts for their said offices in the Quenes Eschequer in England, in like maner & forme as other Shirifes and Eschetors do win this realme of England, & vpon such like paines and penalties, as is vpon other Shirifes and Eschetors in every other shire within this realme of England. 27. H. 8. 26. The Shirifes & Eschetors accompt.

84 ¶ For all Parliaments to bee holden for this realme, two Knights shalbee chosen to the same Parliament for the Shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like maner, forme, and order, as other knights and Burgesse of the Parliament be elected in al other shires of England, and the same knights & burgesse shal haue like dignite, preheminence, and priuiledge, & shalbe allowed such fees, as other knights & burgesse of the parliament haue bene allowed, & the knights fees shalbe leued, perceived, receiued, gathered, & paid in such maner, forme, & order, as such fees be gathered &c. in other shires of this realme of England, & the Burgesse fees shalbe leued aswel win the borough of Monmouth, as within all other auncient boroughs within the saide shire of Monmouth. 27. H. 8. 26. Two knights & one burgesse for the parliament.

85 ¶ The Quenes high Iustice of the Countie of Pembroke shalbe high Iustice of the Countie & towne of Haverford west, and shall haue like auctoritie to & for the ministracion of Iustice win the said countie & towne of Haverford west, as is appointed to the sayd Iustice to & for the administracion of Iustice in the sayd countie of Pembroke. And the Maior, Sherife, Bailife, & Burgesse of the said countie & towne of Haverford west, from time to time shalbe aswel attendant, & obey all precepts & commaundementes of the President Haverford west

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and Council of the Quene in her Marches of Wales, as also shall be attendant to all precepts & proces awarded or directed by h^e sayd high Justice vnto the Sherife of the said County & towne of Hauerford west, & to make returne therof, & the sayd Sherife of h^e said county & towne, shall serue al precepts & proces directed from the sayd hygh Justice, in like maner and forme, as the Sherife of the said county of Pembroke is bound to do, & according to the effect & purpozt of the Quenes ordinaunces in that behalfe had, made, & prouided. And it shalbe lawfull vnto h^e said Maior, Sherife, bailife, & burgeses of h^e said county & towne of Hauerford west aforesaid, to vse & exercise al lawfull liberties & graunts by king H. 8. or his progenitozs to the graunted & confirmed, at the Quenes pleasure, according to the lawes of this Realme of England, & not otherwise. And the iudiciall seale of the said shires of Pembroke, Carmarthen, & Cardiga, being in the custodie of h^e Quenes high Justice there for the time being, shalbe vbled in the said county and towne of Hauerford west, as the original & iudicial seale of the same towne & countye. And h^e said Justice of the said shires of Pembroke, Carmarthen, & Cardiga, shall haue like aucthoritie by vertue of the Quenes letters Patentis to hym made, al wel to doe euery thing concerning common Justice to be ministred w^{ithin} the said towne & countie of Hauerforde west, as he hath in his said letters patents w^{ithin} any of the said shires of Pembroke, Carmarthen, & Cardigan. 34. H. 8.

Part of the
Marches annexed vnto certain shires in
England and
Wales.

Monmouth.

86 ¶ These Lordships, Towneships, parishes, commots, & cantredes hereafter named, being Lordships marchers, & sometime liing betwene the shires of England & Wales. And al honours, manors, lordships, castels, lands, tenements, & hereditamēts, lying or beinge w^{ithin} the compas or precinct of the said lordshypps, towneships, hamlets, parishes, commots, & cantredes, and euery of them, in whose possession soener they be, ar guildable, & taken as part and member of the shire of Monmouth. v3. Monmouth the head & shire towne of the said Countie, Chepstow, Patherne, Lannyhangell, Magour, Goldcliffe, Newport, Wenlong, Lawerne, Caerlyon, Uske, Trelecke, Wintene, Skinfreth, Groulsmont, White castell, Reglan, Calicot, Biston, Abergauenny, Penrose, Grenefeld, Maghen, Hochupstade. 27. H. 8. 26.

Kadno2.

87 ¶ These Lordships, towneships &c. are guildable, & w^{ithin} the shire of Kadno2, v3. New Kadno2, the head & shire towne of h^e sayd county, Clitherman, Clnells, Bougherd, Glasebery, Glawdisire, Mihels church, Meleleth, Blewaghe, Knighton, Pozton, Pzoston, Cozmorhuder, Kapder, Gwethzontion, Stanage. 27. H. 8. 26.

Brecknocke.

88 ¶ These Lordships, Towneships &c. are guildable and w^{ithin} the shire of Brecknocke, v3. Brecknocke the head & shire towne of the

the said countie, Trekeholwel, Tretoſwe, Penkelley, Engliſh T. l. garth, Welſh T. l. garth, Dynas, the bay Glynebcgh, Bzoyuller, Cantercel, Lando, Blaynlynby, Cſtredow, Buelcty, & Lingos. 27. H. 8. 26.

89 ¶ Theſe Townes are guildable & within the ſhire of Mountgomery. Montgomery. bz. Mountgomery the head & ſhire towne of ſaid countie Bedewekery, Calweſſa, Arneſtely, Kenillock, Dophure, Powel land, Clunelland, Baleſley, Tempceſter, Alceſter. 27. H. 8. 26.

90 ¶ Theſe townes &c. are guildable, and within the ſhire of De. Denbigh. bigh, bz. Denbigh land, the head & ſhire towne of the ſame countie, Ruthin, Samtaſſe, Lynllethowen, Bzofeld, Pale Chirke, Chirke land. 27. H. 8. 26.

91 ¶ Theſe Towneſhips &c. are guildable, and annexed to the Salop. countie of Salop, bz. Abertannad, Dſweſter, Whetington, Wal droke, Knocking, which with their members ſhalbe taken the hundred of Dſweſter. And Cleſmor annexed to ſ hundred of Wiſmhill, and Dolwne, and Cherbury annexed to the hundred of Cherburye. 27. H. 8. 26. 34. H. 8.

92 ¶ Theſe towneships are guildable, & annexed to the countie of Hereford. Hereford. bz. Cwypas Lacy called the hundred of Cwypas Lacy, Cwypas Harold, annexed to the hundred of Weſtre, Clyfford, Wyfoxton, Perdeſſey, Whitney, and Huntington, called the hundred of Huntington, Weigmoze logharneis the hundred of Weigmoze, Stepulſton. 27. H. 8. 26.

93 ¶ Theſe Lordſhips are guildable & annexed to the countie of Glouceſter. Glouceſter. bz. Mollafſton, Lidnam, Bechley, all landes lying betwene Chepſtow bridge in the Marches of Wales, & Glouceſter ſhire, & in the hundred of Weſebury. 27. H. 8. 26.

94 ¶ Theſe lordſhips are guildable, and annexed to the countie of Glamorgan. Glamorgan. bz. Gowerkilney, Biſhops towne, Ladaſſe, Singhintghe Supra, Singhintghe Subtus, Miſkin, Ogmoze, Glyncrotheney, Tallagarne, Buthien, Tallava, Lamblethian, Lantwide, Tyerial, Auan, Beth, Ladoſwey, & the Clapes. 27. H. 8. 26.

95 ¶ Theſe townes &c. are guildable, & within the ſhire of Carmarthen. Carmarthen. marthen, bz. Lanemethe, Terye, Abermerleſe, Bedwely, Elkenninge, Cozneſwolſhon, Newcaſtel, Emlyn, Abergolly, and Lanſtiffan, Aſterlois, Langham, parcell of the hundred of Derleys. 27. H. 8. 26.

96 ¶ Theſe townes are guildable, & within the ſhire of Pem. Pem. brooke, bz. Kilgarran, Lanſteffan, Lange harne, otherwiſe called Tellangharn, Maltwincastel, Dewes land, Lennahadein, Laſey, Henberth, Slebeiche, Roſmarket, Caſtellan, Landoſſoure. 27. H. 8. 26.

97 ¶ Theſe

VVales.

Cardigan.

97 ¶ These towncs are guildable, & win the shire of Cardigan, b3. Tregaron, Cenergin, Landway, Wreny. 27. V. 8. 26.

Flint.

98 ¶ These Townes &c. are guildable, and within the shire of Flint, b3. Hoppe, Watwarden, Mereford, Dley, and Moldesdale within the hundred of Moldesdale, Mafpe, within the hundred of Rutland. 33. V. 8. 12.

Mouthway.

99 ¶ The Lordships, towncs, & parishes of Mouthway, and all lands, tenements &c. win the compass of the same, are guildable, & annexed to the Countie of Merioneth in Northwales as a comote member, o2 part of the same. 27. V. 8. 26.

Worcester.

100 ¶ The Towne of Bewdley within the parish of Ribbeford in the countie of Wygorne, & al the ground and soyle of of the same towne, is united, annexed, & made parcell of the county of Wygorne, & win the hundred of Dodingtre: & the inhabitants of y^e said towne & parish shalbe attendant, & do euery thing w^{ch} the inhabitants of the said hundred. Sauing to the Burgesse and inhabitants of the sayde towne of Bewdley, all such libertics and franchises, as they lawfully had and exercised in the same Towne before the makinge of this act. 34. V. 8..

Apparance & attendance at Courts.

101 ¶ All and singuler person and persons dwellinge o2 resident within Wales, o2 in the Lordships Marchers of the sae, at al times vpon such monitiō o2 warning giue for y^e court to be kept in wales, o2 in any of the lordships marches, as before time hath bene used, shall personally appare before the Justice, Steward, lieutenant, o2 other officer at all and euery Sessions, court and courts, to be holden before the same Justice, Steward, o2 other officer in any whatlocuer place within Wales, o2 within the p^{re}cinct, lymits, & iurisdiccions of euery of the lordships marchers, o2 seigniorics aforesaide, o2 the marchers of the same, as by the said Justice, Steward, o2 other officers shalbe appointed, & then & there shall geue his & their personall attendance to do euery thing which to him o2 them shal appertaine vpon paine of such fines, forfaitures, & amerciaments as shalbe assessed by the Steward, Justice, o2 other officer to the Quenes vse, if it be within any of the Q. Lordships marchers, & if it be within any other lordships marchers, then to the vse of the lord of the said lordship marcher for the time being. The saide forfaitures & amerciaments to be leuied by way of distress of the goods & cattels of euery person not appearing at the said court o2 courts, o2 not doing his dutie as is abovesaid. 26. V. 8. 6.

An officer imprisoning one vpon an untrue surmise.

102 ¶ If the Steward, lieutenant, o2 any other officer of anye Lordsh^p marcher in Wales, do saine, procure, o2 imagine any untrue surmise against any person o2 persons that shall so geue their personal attendance before them at such court o2 courts where they haue

haue rule oꝝ aucthoꝛitie, and vpon the same vntrue surmise, commit them to any duces oꝝ imprisonment contrary to the law, oꝝ contrary to the true & lawdable custome of that lordship: Then vpon suit made vnto the Quēnes commissioners oꝝ counsell of the marches foꝝ the time being, by any such person oꝝ persons so imprisoned, oꝝ by any of their friendes, the same Commissioners oꝝ counsell shal haue full power to send foꝝ such Steward, Liuetenant, oꝝ officer, and also foꝝ the person oꝝ persons so imprisoned, & if the same person oꝝ persons so imprisoned, can evidently pꝛoue befoꝝe y^e said counsell by good & substantiall witnesses, oꝝ other wise, that his imprisonment was vpon any fayned surmise, without cause reasonable, oꝝ lawfull, then the same commissioners shal haue full power to asseſſe the sayd officer to pay to the said person oꝝ persons wrongfully imprisoned vi. s. viiii. d. foꝝ every day of their imprisonment, oꝝ moꝛe by the discretiō of the said Commissioners, according to the hurts & behauior of y^e person oꝝ persons imprisoned, & the same commissioners shal set further fine vpon the said officer, to be paid to the Quēnes vñc, as by their discretions shalbe thought conuenient. And in case the same officers do refuse to appeare befoꝝe the same Commissioners incontinent after any cōmandement to them directed, & deliuered after any such cōplaint made to the same commissioners, thē y^e same Commissioners shal haue full power vpon enery default made by any officer oꝝ officers to asseſſe & set vpon every such officer oꝝ officers making default such fine oꝝ fines to bee leuied to the Q. vñc, as by their discretions shalbe thought conuenient. And y^e same commissioners shal haue full power to cōpel y^e said officer oꝝ officers by way of imprisonment, as wel to pay such fine as shalbe taxed vpon thē to y^e Q. vñc, as to pay vnto every person oꝝ persons so imprisoned, such sūmes of money as they shalbe asseſſed to pay foꝝ their wrong imprisonment. 26. H. 8. 6.

103 ¶ No person dwelling oꝝ resident wīn wales, oꝝ y^e lordships marches of the same, of what estate, degree, oꝝ condition soeuer hee be, cōming oꝝ repairing vnto any sessions oꝝ court to be holden wīn wales, oꝝ any lordships marches of y^e same, shal bzing, oꝝ beare, oꝝ cause to be bꝛought oꝝ boꝛne to y^e sae sessions oꝝ court, oꝝ to any place wīth y^e distance of ii. miles frō the same sessions oꝝ court, noꝝ to any towne, church, faire, market, oꝝ other congregation (except it bee vpon a hue oꝝ outcrie made of any felony, oꝝ robberie done) noꝝ in y^e high wates in affray of the Q. peace, oꝝ y^e Quēnes leige people, any bil, long bow, croſsbow, handgun, sward, staffe, dagger, halberd, morrispike, speare, oꝝ any other maner of weapō, pꝛiue coat, oꝝ armour defensible, vpon pain of foꝝ. of y^e same weapon, pꝛiue coat, oꝝ armour & to suffer imprisonment & make fine & ransome to y^e Q. by y^e discretiō of y^e Quēnes commissioners of her marches foꝝ y^e time being,

no weapon
shalbe brought
to Courtes,
faire, oꝝ
Churches.

except

VVales.

except it be by the comāndement licence or assent of the sayd Justices, Steward, or other officer, or of the commissioners, or counsell of the marches for the time being. 26. H. 8. 6. 4. H. 4. 28.

Gathering
commonthys
exactions &c.

104 ¶ No person or persons wout licence of y^e said commissioners in w^{ry}ting, shal within Wales, or the marches of the same, or in any shires adioyning to the same, require, procure, gather, or leuy any Commonth, Bidale, tenauntes ale, or other collection or araction of goods, cattels, mony, or any other thing vnder colour of marryng, or sufferinge of their chyldezen saynge or singinge their first masses, or gospels of any priests or clerks, or for redemptiō of any murder, or any other felony, or for any other manner of cause by what name so euer they shalbee called, nor shal make or procure to bee made anye games of Running, Wrestling, Lepping, or any other games (the game of Shooting only except) vpon paine of one whole yeares imprisonment of euery person or persons as shal gather or procure to be gathered any such collectiō or exaction, or shal make or procure to be made any games as is aforesaid. And further they & euery of the shal make such fine, as by the discretion of the D. Commissioners of her Marches shalbe thought convenient: And further the said commissioners shal haue power to heare & determine the sayd offences by their examination. 26. H. 8. 6.

Procuring of
games.

Arthel.

105 ¶ No person or persons shal at any time cast any thing into any Court within Wales, or in the lordships marches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yeares imprisonment of any such person or persons, as shal cast or cause to be cast any such Arthel into any court or courtes to be holden within Wales or the lordships Marches of the same, any custome &c. notwithstanding. 26. H. 8. 6.

Where sessions
shalbe kept.

106 ¶ All sessions & courts to be holden within wales or y^e lordships marchers of the same, shalbe kept within the most surest and peaceable place within y^e same lordship marcher, where y^e sayd Justice, Steward, or other officer shal appoint. 26. H. 8. 6.

Inquire in the
counties adioy-
ning, of offences
committed with
in the Lordship
marches.

107 ¶ The Justices of the gaole deliuerie, and of the peace, and euery of them for the time being in the shire or shires of Engelande where the D. w^{ry}t runneth, next adioyninge to the Lordship marcher, or other place in Wales, where any counterfeitinge, washinge, clippinge, or minishing of any Coine currant within this Realme, or murder, shalbe committed or done, or where any other felonyes or accessories shalbe committed, haue auctoritie at their sessions & gaole deliuey to inquire by verdict of xii. men of the same shire or shires next adioyning w^{ry}t in Engeland where the D. w^{ry}t runneth, there to cause al such counterfeiters, washers, clippers, of mony, felōs murderers,

murderers, and accessaries to the same to be indicted according to þe lawes of this lād, in like maner as if the same pety treasons, murders, felonies, & accessaries to the same, had ben committed within any of the said shires, within the said realme, & also to heare, determine, and iudge þe same, according to þe lawes of thys realme. And all foraine plēs, pleaded by any of the said offendours, shalbe tried & determined in þe same shire o; shires, And the acquital o; fine making for any of the causes aforesaid, in any of þe lordshippes marchers shalbe no barre for any person o; persons being indicted in the sayd shire o; shires within two yeres next after any such murder, o; felony done. 26. H. 8. 6.

Foraine plēs.

Acquital in lordshippes marchers.

108 ¶ The said Justices of peace & gaole deliuerie, & euery of thē, haue auctoritie to award all maner of proces, as wel of outlawry, as other wise, against al and euery such offendour and offendours so indicted, in maner, and forme, & according to the customes and lawes used within this realme of England. And the laide Justices o; two of them befoze whom any such offendour shal happē to be outlawed o; attainted by vtlagarie, shal immediatly vpon the same vtlagarie o; attainder, direct & send vnto the M. officers of her lordshippes marchers, o; to their deputie, o; vnto the lord o; lordes marchers of the sae lordship marcher, o; to his o; their officer, o; officers, o; to their deputies, wherein such offence, murder, o; felony shal happen to be done, o; where any such offendour, murderer, o; felon shal happen to be resiant, a certificat vnder the seales of them, o; two of thē, of any such vtlagary o; attainder, commanding them and euery of them by the same, vnder paine of forf. of C. li. to the M. to be leued and perceiued aswel of the goods, cattels, lands, & tenements of the same lord o; lords marchers, as of the goods & cattels, lands, & tenements of the M. officer there: to appzechend & attache, o; cause to be appzehended & attached the bodie o; bodies of the same offendour o; offendours so outlawed o; attainted, & safely to keepe, o; cause to be kept þe same offendour o; offendours, til such convenient time, befoze the next Sessions of the M. Justices of her gaole deliuerie of the shire where such offendour o; offendours shal happen to be outlawed o; attainted, as to the M. officer of her Lordshippes marches, o; to their deputies, o; vnto the Lord marcher, o; Lords marchers of the same lordshipp marcher, o; to his o; their officer o; officers, o; their deputies where such offendour o; offendours shalbe appzehended, attached, detained, & kept, shalbe thought expedient for the conuelance, & conducting of þe same offendour o; offendours, in maner & forme following, to be deliuered from the M. officers o; their deputies, o; the Lord marcher, o; the Lords Marchers, o; his o; their Officer o; Officers to other persons assigned by thys acte, to receiue and conuey such offendour

proces of outlawry against persons indicted

Certificat of Outlawry.

VVales.

Compliance of
offendours from
the lordship
marcher to an
other.

of offendours by Indenture to be made betwene the deliverer or deliverers, and the receiver or receivers: That is to say, the M. Officer of her Lordship marcher, or their deputies, or the Lord or Lords marchers of the lordship Marcher, or his or their officer or officers, or their deputies, where such offender or offendours shalbe apprehended, attached, detained, and kept, shall safely conduct and convey, or cause to bee conducted & conveyed the same offender or offendours to the next Lordship marcher toward the shire where the same offender or offendours shal happen to be outlawed or attainted. And the M. Officers of the same Lordship Marcher or their deputies, or the lord or lords marchers of the same Lordship marcher, or his or their officer or officers, or their deputies, shall receive and safely convey the same offender or offendours to the next Lordship marcher. And so the M. officers of every Lordship marcher or their deputies, or the Lord or Lords marchers of the same Lordship, or his or their officer or officers, or their deputies, to receive & convey safely every such offender or offendours from one Lordship marcher to an other lordship marcher by indenture, as is aforesaid, unto the time y^e such offender or offendours shalbe safely delivered before y^e said Justices of y^e gaole delivery, upon paine of for. by every of the M. officer or lord or marcher, (by whose default the same offender or offendours shal ne may not appeare before the same Justices at their saide sessions, there to stand & abide the order of y^e M. lawes) C. li. to be levied & perceived of the goods and cattels, landes & tenementes of the same officer or Lord, to the M. use. And al and every officer & officers, lord & lords, or other persons to whō any certificat shalbee directed, as is above said, shal at the next Sessions and gaole delivery to bee holden after the apprehention, or attachment of such offender, or offendours, returne the same certificat in due forme, & what hee or they haue done in that behalfe vpon the paine aforesaid. Saving alway to al & every offender and offendours, all and singular Trauerſes, Challenges, exceptions, advantages, and all other pleas, to, of, and vpon the outlawry pronounced against y^e same offender or offendours, in manner and forme, as is, and hath ben used by the laws of this realme, for any the Quēnes subiects dwelling wisthin the same realme. 26. V. 8. 6..

Returne of the
Certificat.

All advantages
saved to the
offendor.

Not liberties of
any lord mar-
cher abrogated.

109 ¶ This act shal not extend to abridge or deprive anye liberties, privilege, or authoritie of any lord marcher, heretofore graunted to the same lord, or lawfully used or accustomed by the said lord, or any of his ancestors, vnles y^e foresaid offendours happen to be indicted, outlawed, arraigned, convicted, or attainted by force of this act, as is abovesaide, within two yeares next after suche murder or other felonious offence committed, within the saide lordship marchers,

chers, or any of them, any thinge in this act &c. notwithstandinge.
26. Henr. 8. 6.

110 ¶ Al murders, robberies, felonies, & accessories to the same which shal happen to be committed within the shire of Merioneth in wales, shal & may be inquired, heard, and determined in y^e courts of Carnaruan or Anglesey, before the Duenes Justices of North wales, or their deputie for the time being, by verdict or enquest to be taken by the inhabitants of the same shires of Carnaruan & Anglesey or other wise, if by discretioⁿ of y^e Justice there or his deputy, it shal be thought convenient. And the same Justice or his deputie for the time being, shal have full power by his discretion by force of this act, to heare & determine al & every the foresaid murders, felonies, robberies, and accessaries, in forme aforesayd. 26. H. 8. 6. But see the statut. 34. H. 8. that the foresayd act, & every article therein conteyned shal take effect & be executed in al pointes, for and concerninge any of the sayd offences done within the Countie of Merioneth to be inquired of, heard, and determined within the Countie of Salop, in lyke maner and fourme as commonly is and hath bene used for any of the same or like offences committed within any other county or place of South Wales.

Felonies committed in North wales.

111 ¶ Every officer & officers, & their deputies, upon commandement geuen by the commissioners or counsel of the marches for the time being, shal bring, send, or deliver every offender which doth commit any murder, robbery, or felony, within the Lordships marches of Wales, or in other places of Wales, without the same lordships marches, and doth fly and escape from the same lordship or other place, where such offence was committed, & repaireth into an other Lordship marcher to the officer of y^e Lordship marcher or other place, where any such offence shalbe committed or done upon the mettes & bounds of y^e said Lordships, or to y^e said commissioners or counsel according as y^e said officers by the shalbe commanded, under paine of xl. li. y^e same commandement or commission to be directed to any such officer to be sent conveyed, & delivered by a seriat at Armes, or a pursuivant, attendant on the said Council in y^e Marches, for the time being. 26. H. 8. 6.

Where and to whom any offender shalbe committed.

112 ¶ Al such vnlawful customes, as have bene used in severall Forests in wales, & the Marches of y^e sae (for the taking of vnlawful exactions of any of y^e Duenes subiects which passe, goe, or ryde through, or in any way or path of any of y^e said Forests, not having upon him a token delivered unto him by the chiefe Foresters, Keepers, or Farmours. Or to take any such moner & gold, as shalbe found upon him which is taken by the space of xxiii. fote out of the hygh way in any of the sayd Forests, or to cause the same person so take out of

Exactions taken in Forests in Wales.

VVales.

out of the high way, to lose a tynnt of one of his handes, or to make fine therfore with the Fforesters, Rulers &c. at their wil & pleasure. And for any Fforesters, Rulers, walkers, or Fermors, unlawfully to seile and take any Beastes or quicke cattell, and marke the with the marke of their Fforestes, which do happē to come, go, or escape in to any of the said Fforestes, by stray, or theise stolen, or other wise) shalbe determined, voided, and had for nought, thorough out all and every of the sayd Fforestes, within Wales, and the Marches of the same. And it shalbee lawfull to all and every of the Quenes true subiects, and al other person and persons being in league and amity with our soueraigne Ladye the Quene, her heires and successors, Kinges or Quenes of England, freely, quietly, and in peate, to passe and repasse, traualle and goe into and thorough out the said Fforestes and every of them, both on horsebacke and on foote, aswel following and driving of cattel, as with carrying of wares, or other wise about their lawfull busines and affaires, without any fine, forfeiture, toll, custome, exaction, or other imposition to bee taken, exacted, or demanded of them, or any of them, by the sayd Fforesters, Rulers, walkers, Fermors, or their assignes. And if it shall chavnce any of the said Fforesters, rulers &c. at any time to take any person or persons, beinge the Q. true subiects, or other wise in league and amitie with our soueraigne Lady, her heires or successors, Kinges or Q. of Englañ, as is aforesaid, & exact and take of them, or of any of them, any of the said for. fines, tolles, customes, or exactions, as is above mencioned, and be thereof lawfully convicted: Then hee or they so doing and offending contrary to this act, to incur and stand in danger of the statute heretofore provided for robberies by the Q. bygd way, & the same to be tried befoze the Justices of the peace in þ next shire adjoynant, according to the lawe of this Realme of England.

27. H. 8. 7.

27. H. 8. 1. See
Clergie 12.

Redelivery of
strates or theise
stollen goods.

113 ¶ If any maner of beast or quicke cattell of any of the Q. true subiects, or other the Quenes friends, at any time do come in to any of the said Fforestes by straves, theise stolen, or other wise, & there be marked & seiled by any of þ said foresters, rulers, walkers, fermors, or their assignes, or any of the, & þ owner or owners of the same cattel, within one yeare & a day the next ensuing, chaunce to find þ said cattel so taken, & lawfully prove the same to be his or their own proper cattel, then the same cattel shalbe redelivered to þ owner or owners thereof, according to þ auncient law of this realme of Englañ, þ said owner or owners reasonably paying for þ keeping of such cattel, after the rate of the time, that such cattel shal have ben in the custody of any such Fforesters, Rulers &c. or his or their assignes, in such maner and forme, as heretofore hath ben in like case used to bee done

by the owners within a yere & a day next after the setting of y^e same cattell. And if any of the said Foresters, rulers ec. or their assignes do deny y^e redeliverance of any such cattell, by them, or any of the so leised or marked therein any of y^e said Foresters, after y^e owner or owners of the, shal have duly and lawfully proved the to be his or their own proper goods or cattels, as is aforesaid: The every such forester, Ruler, walker, Farmer, or their assignes so doinge and offendinge contrary to this act, shall forfeit, and pay vnto the partie grieved, the double value of al such cattell, as shalbee so taken and marked, & not delivered to the owner or owners as is aforesaid. And the party grieved may have his action of Detinue at the comon lawe, of and for the same cattell against every such offendour or offendours, and the same to be tried in the next shire adioynant, wherein no wager, Escoigne &c. And like proces of outlawry shalbe had and made in y^e said action of Detinue in y^e next shire adioynant against every Forester, Ruler ec. or their assignes, so offendinge contrary to the tenor of this act, as in an action of trespass at the comon lawe of this realme is used. 27. H. 8. 7.

114 ¶ Forthwith vpon the charge given to any Enquest to be taken and swozne before any Justices, Steward, Luetenaunt, or other officer within Wales, or the marches of the same, of, for, and vpon any trauesse against the Quene, or the tryall of any recognisance broken, or any other forfeiture forfeited to the Quene, or of, for, and vpon the triall of any murderer, felon, or accessarie of felonie, or murder: One Officer or other person shalbee deputed, and swozne in the presence of the said Justiciar, or other officer, for the true and diligent keepinge of the same Jurors. And the same Officer or other person so swozne, without the special commaundement of the said Justiciar, or other officer, shal not do, or suffer to be misdred to y^e same Jurors, any bread, drinke, or meat, fier or light, nor shal suffer the same Jurors to speake to any person or persons, nor the same officer or other person swozne, wout the commaundement aforesaid, shal not speake to the said Jurors, but onely to demand of them of their agreement, vnto such time as the same Jurors shal have given their verdict, any usage or custome heretofore used to the contrary notwithstanding. And if y^e same officer or other person so swozne in forme aforesaid, do not execute and accomplishe the premisses in the oth before rehearsed, in every point and article: Then he shalbe punished & imprisoned, & make fine & ransome to the Q. by the discretion of the said Justiciar, Steward, Luetenaunt, or other officer. 26. H. 8. 4.

A Wally for keeping of a Jury.

115 ¶ If the same Jurors doe acquit any such felon, murderer or accessarie, vpon whose trial they shalbe charged, or gene any vnto true

¶ f.

true

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true verdict against the D. upon the trial of any traueſſe, recognyſance, or other ſoſtaunt, contrary to the good and pteynant duties miniſtred to them by perſons ſworne before the ſaid Juſticiar, Steward, Linetenant, or other officer, or that the ſaid Jurors, or any of them do eate, drinke, or ſpeake to or with any perſon or perſons, the to ſuch as be ſworne with the, or otherwiſe miſdemene the lewes, after they be ſworne and before they have given their verdict, then the Lorde Preſident, or other the Counſell of the Marches for the time being, upon notice or complaint thereof to be made, ſhall not onely have authoritie to call ſuch Jurors before them, but alſo the ſame Juſticiar, Steward or other officers afore ſaid when any ſuch acquittall, untrue verdict, or miſdemeanors ſhall happen to be made, ſhall have full power to compell ſuch Jurors & every of them upon paine of imprisonment, to be bounden by recogniſſance in a certaine ſumme of money by their diſcretion to be limited, that the ſame Jurors and every of them ſhall perſonally appeare at a certaine day by the ſame Juſticiar, Steward or other officer to be limited before the Lord Preſident, and other of the Counſell aforeſaid, for the time being, then and there to abide & ſtand to ſuch directio & order, as the ſame Counſell ſhall make, ordeine, and decre, of, in, and upon the ſame. And the ſame counſell ſhall thereupon have authoritie by examination or otherwiſe, to heare and determine all and every ſuch cauſe, and ſhall have like authoritie to commit every of the ſame Jurors to priſon, or other puniſhment, as ſhall be thought meete by the diſcretion of the ſaid Counſell, or otherwiſe aſſeſſe or take entry ſuch Juror to his fine or raiſonſome, by the ſame diſcretion, to be paid and leuied of their lands, goods and cattels to the uſe of the Quene. 26. Henrici 8. 4.

A Burgeſſe for
Hauertford weſt

I 16 ¶ The towne of Hauertford weſt ſhall for ever, ſinde one Burgeſſe for the ſayd towne at every Parliament to be holden in Englande, and the charges of the ſame Burgeſſe ſhall be alwaies borne by the Maior, Burgeſſes, and inhabitants of the ſaid towne, and none other. 34. H. 8.

Knights & bur-
geſſes for the
Parliament.

I 17 ¶ For all Parliaments to be holden for this realme, one knight ſhall be choſe to the ſame Parliaments for every of the ſhires of Brecknock, Radnor, Montgomery, and Denbigh, & for every other ſhire within the ſaid countrey of Wales, & for every borough being a ſhire towne within the ſayd countrey of Wales, one Burgeſſe (except the ſhire towne of the countie of Merconeth) and the electio to be in like maner, forme, and order, as Knights & Burgeſſes of the Parliament be elected in other ſhires of this realme, (and to be named & choſen by the authoritie of the Quenes writt, under & great ſeale of Englande. 34. H. 8. & the Knights & Burgeſſes, and every of them

them that have like dignitie, prebeminces & privileges, & shalbe allowed such fees, as other knights of the Parliament have and be allowed, & the knights fees shalbe leued of y^e commons of the shire that they be elected in, & y^e Burgesles fees shalbe leued, & gathered aswel of the boroughs, & shire towtines, & they be Burgesles of, as of all o- ther auncient boroughs within the same shire. 27. H. 8. 26.

118 ¶ The Sherifes for the tyme beinge of every of y^e ris. shires in Wales, & in y^e countie of Monmouth, have auctoritie to gather, & leue, or cause to be gathered, or leued, the knightes fees or wages, of y^e inhabitants of the ris. shires, & of the said countie of Monmouth, which ought to pay the same, and the same so gathered, shal pay, or cause to be payde to every such knight or knightes, or to hys or their assignes, within two moneths next after such knight or knightes, shal deliver or cause to be delivered y^e Queenes writ, De solutione feodi militis parliamenti to any such shirife, and every such shirife making default of paymet of the fees or wages in maner and forme aforesaid, shal forf. to the Q. & y^e r. li. and if any shirife in any of y^e said ris. shires and countie shal make default of paymet of the sayde wages &c. by a longer tyme then two moneths, then he shal forf. for every moneth y^e he shal make default xx. li. to be forf. & leued in maner & forme aforesaid. 35. H. 8. 1.

The wages of knights of the parliament.

119 ¶ Every Mayor & Bayliffe, and other head officers of cities, boroughs and towtines in every of the said ris. shires and countie of Monmouth within like space of two moneths after the receipt of y^e Queenes writ De solutione &c. shal leue, gather and pay the wages & fees to their Burgesles, in maner & forme aforesaid, & in and under like paines & forf. as is before mencioned, to be leued of the goods and cattels of every such Mayor, Bayliffe, & other head officer (to whom the Queenes said writ shalbe directed for the leu- ing of such fees) making default of paymet of the same to the Bur- gesles &c. 35. H. 8. 11.

The wages of Burgesles of y^e parliament.

120 ¶ Because the inhabitants of all cities & boroughes in everie of the ris. shires in Wales, & in the countie of Monmouth, not fin- ding Burgesles for y^e parliament the selues, must beare and pay the Burgesles wages w^{ch} in the shire towtins of and in every the said ris. shires & countie: the Burgesles of every of the said cities, boroughes & towtines which be contributory to y^e payment of y^e burgesles wa- ges of the said shire towtines, shalbe lawfully admonished by pro- clamacion, or otherwise by the Mayors, Bailifs, or other head offi- cers of the said towtines, or by one of the, to come and to geue their elections for the electing of the said Burgesles, at such tyme & place lawfull & reasonable, as shalbe assigned for the same intent, by the said Mayors, Baylifes &c. of the said shire towtines, or by one of the,

By whom bur- gesles for the parliament shalbe chosen.

¶ It is,

in which

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in which election the Burgesſes ſhal haue like voice and aucthoꝛity to elect, name, and choſe the Burgesſes of euery of the ſayde ſhire toꝛnes in ſuch manner as the Burgesſes of the ſaide ſhire toꝛnes haue, oꝛ vſe. 35. H. 8. 11.

Rating of bo-
roughs foꝛ the
burgesſes wa-
ges.

121 ¶ Two Juſtices of peace in euery ſhire in Wales & in the County of Denmouth haue aucthoꝛitie indifferently to lotte & take euery citie, borough, & toꝛne within the ſaid ſhires & county, where in they do inhabite, foꝛ the poꝛcions and rates that euery of the ſaid citieſ & boroughs ſhal beare & pay toꝛwards the Burgesſes within y^e ſaid ſhire toꝛnes of euery of the ſaid ſhires & countieſ, which rates ſo rated & taxed in groſſe by y^e ſaid iij. Juſtices, ſhalbe agayne rated & taxed on the inhabitantſ of euery of the ſaid citieſ, & boroughs by iiiiij. oꝛ vj. diſcrete & ſubſtancial Burgesſes of euery of the ſaid citieſ and boroughs in Wales thereunto named & aſſigned by the ſhaloꝛ, Bai- liffes, oꝛ other head officers of the ſaid citieſ, toꝛneſ, & boroughs, foꝛ the time being, & thereupon the ſhaloꝛ, bailiffes &c. of euery ſuch city, borough &c. ſhal gather y^e ſame, & thereof make payment to the bur- geſſes of the parliament, w^{thin} like time, & vpon like paines & foꝛf. as is afoꝛſaid. 35. H. 8. 11.

Lords mar-
chers tenants
vnder common
mayuppiſe.

122 ¶ Becauſe Lordes marchers in tymes paſt haue vſed to put their tenants w^{thin} their lordſhips marchers, vnder common main- pꝛiſe & ſuertie of apparance, & haue had the foꝛſaitureſ thereof (which foꝛ euery ſhal vtterly ceaſe & determine. 27. H. 8. 26.) Therefore aſ- wel y^e Queneſ ſpiritual & eccleſiaſtical ſubjects, Lordes marchers, hauing Lordſhips marchers, oꝛ lordſhips roiall in Wales, and their ſucceſſoꝛſ, & the ſucceſſoꝛſ of euery of theſe, as alſo the heireſ & ſucceſ- ſoꝛſ of the lordſ tēpoꝛal marchers w^{thin} their lordſhips marchers & lordſhips roiall in y^e dominion oꝛ principalltie of Wales, ſhall haue & enioy to theſe & to their heireſ & ſucceſſoꝛſ reſpectiuely and ſeuerally foꝛ euery, y^e moiety & haife of euery foꝛf. of al & euery comō mainpꝛiſe, recogniſſance foꝛ the peace, oꝛ apparauice foꝛſaiteſ by any their te- nantſ, inhabiting w^{thin} any of their lordſhips marcherſ, oꝛ lordſhips roiall, & they to be paid y^e ſame moiety by the handſ of the ſheriffes of euery of the ſaid countieſ where ſuch foꝛſaiture ſhalbe, if the ſheriffe can leuy the ſame, and the ſame ſheriffe to accompt to the Q. foꝛ the other moiety, & further ſhall haue all ſuch miſſes and pꝛofiteſ of their tenantſ as the lordſ marchers ſpiritual oꝛ tēpoꝛal reſpectiuely oꝛ ſeuerally, had oꝛ vſed to haue, at their firſt entrie into their landſ in tymes paſt, befoꝛe the making of the ſaid ſtatute; and alſo ſhal haue, holde, and keepe w^{thin} the pꝛecinct of their ſaid lordſhips, all ſuche Courts Barons, Courts Leete, & laudales, & all and euery thyng & thinges to the ſame courtſ belonging, and alſo ſhall haue w^{thin} the pꝛecinct of their ſayd ſeueral lordſhippeſ oꝛ laudayeſ, all ſuch wayſe,

Lords mar-
chers ſhal haue
the moiety of
the foꝛſaitureſ
of their tenantſ.

wayfe, ftrayfe, infangthæfe, outfangthæfe, treafure trene, bro-
dandes, goods & cattels of felons, & of perfons cōdēpned oꝝ outlawed
of felony oꝝ murder, oꝝ put in erigent foꝝ felony oꝝ murder, & also all
fuch wecke de meare, wharfage and customes of ftraungers, as the
Lords marchers, spiritual and tempoꝝal refpectively & fenerally had
& vfed, in times paff befoꝝe the making of the faid ftatut of 27. H. 8.
1. & 2. H. & H. 15.

L. Marchers
retaine their
priviledges.

123 ¶ The tenants and refiantes in Wales ſhal pay their tal, Tallage,
lage at the change of their lordes, in fuch places and after fuch foꝝme
as haue bene accuftomed in Wales, 34. H. 8.

124 ¶ All the Quēnes fubjects and refiantes in Wales ſhalbe Subdies.
charged and chargeable to all fubdies, and other charges to bee
granted by the commons of any parliament holden in England,
and ſhal pay al other rents, fermes, customes, and dueties to h. M.
as they haue bene accuftomed (fines foꝝ redemption of Sessions on-
ly except.) 34. H. 8.

125 ¶ The Biſhops of Hereford, S. Davies, Aſſaphe, Ban-
goꝝ, & Landaphe, & their ſucceſſoꝝs, ſhal take fuch oꝝder amongſt the
felues foꝝ the ſoules health of h. flockes cōmitted to their charge wīn
Wales, that the whole Bible containing the new Teſtament and
the olde, with the booke of cōmon pꝛaier, & adminiſtration of the ſa-
craments, as is now vfed wīthin the realme in Engliſh to be truly
and exactly tranſlated into the Brittiſh oꝝ wealſh tongue, and that
the ſame ſo tranſlated, being by them viewed, perufed, & allowed, bee
imprinted to fuch number at the leaſt, that one of eyther ſoꝝt may be
had foꝝ euery Cathedral, collegiat, and pariſh Church and chappel of
eafe, in fuch places & countries of euery of the ſayd dioceſſes where
that tongue is cōmonly ſpoken oꝝ vfed, befoꝝe h. fiꝛſt day of March,
An. Do. 1566. And that from that day foꝝth, the whole deuine ſer-
uice ſhalbe vfed and ſaid by the Curates and Miniſters thꝛoughout
al the ſaid dioceſſes where the wealſh tongue is cōmonly vfed in the
ſaid Brittiſh oꝝ wealſh tongue in fuch maner and foꝝme, as is now
vfed in the Engliſh tongue, and differing nothing in any oꝝder oꝝ
foꝝme from the Engliſh booke. Foꝝ the which bookes ſo imprinted,
the pariſhioners of euery of the ſaid pariſhes, ſhall pay the one halfe
oꝝ moꝝtie, and the Parſon and Vicar of euery of the ſaid pꝛiſhes
(where both be) oꝝ els the one of them, where there is but one, ſhal
pay the other halfe oꝝ moſtie. The pꝛices of which bookes, ſhalbe ap-
poynted and rated by the ſaid Biſhops and their ſucceſſoꝝs, oꝝ by
thꝛee of them at the leaſt. The which thinges if h. ſayd Biſhoppes
oꝝ their ſucceſſoꝝs neglect to doe: That then euery one of them
ſhall foꝝſayt to the Quēnes Maieſtie, her heires and ſucceſſoꝝs,
the ſumme of xl. li. to bee leuyed of their goods & cattels. 5. El. 28.

The Bible and
booke of cōmō
pꝛaier conuer-
red into the
wealſh tongue.

A Bible and
booke of com-
mon praiſe in eng-
liſh ſhalbe in e-
uery church in
VVales.

126 ¶ And one booke containing the Bible, and one other booke of comon praiſe in the engliſh tongue ſhalbee bought & had in euery church throughout VVales in which the Bible and booke of common praiſe in weaſly is to be had by force of this act (if there be none alreadie) before the firſt day of March. 1566. and the ſame bookes, to remaine in ſuch convenient places, within the ſaid Churches, & ſuch as vnderſtand them may reſort at al convenient times to read and peruſe the ſame. And alſo ſuch as do not vnderſtand the ſaid language may by conſerring both tongues together, the ſoner attaine to the knowledge of the Engliſhe tongue. Any thinge in this act &c. notwithſtanding. 5. El. 28.

¶ In the time of King H. 4. it vvas prouided by ſeuerall Statutes, that no Welſhman (except he vvere a Biſhop or a tēporall Lord) ſhould haue any Caſtel, Fortreſſe, or houſe deſenſiue of his owne, but ſuch as had bene vſed in the time of king Ed. Conquerour of Wales, nor that any vvellſhman ſhould be made Juſtice, Chauncelour, Chamberlaine, Treasuſurer, Sherife, Stevvarde, Conſtable of Caſtle, chiefe toſter, nor other officer, nor Lieutenant in any of the ſaid offices in any part of VVales, nor of Counſell vvith any Engliſh Lord (Biſhops & ſuch as vvere tried faithfull and obedient ſubiects except) nor that any Engliſh man married to any vvellſh vvoman, ſhould be put in any office in wales, nor ſhould haue any frāchiſes vvith Engliſh Burgeſſes, nor that any perſon ſhoulde carrie any vitaille or armour into VVales, vvithout the kings or counſells licence, ſauing to ſtore the engliſh caſtels & tovvnes, nor that any engliſhman ſhoulde bee conuiſt by any welſhman in any court in wales, but by engliſh men of the next venue, and of good fame, nor that any vvellſh man ſhould purchaſe any land in Englande, or in Engliſh tovvnes in vvales, nor ſhoulde bee Burgeſſe, or haue any other libertie vvithin any of them. But it ſeemeth that the force of thoſe ſtatuts be taken avvay by the ſtatut of 27. H. 8. 26. Therefore ſee the firſt braunch of this Title and Quære.

Quære,

1 For the Exigents and other proces for and againſt any perſons dvvelling in vvales. S. Exigent. 6. 9.

2 That the Sherifes in VVales ſhal haue deputies in the kinges Bench & Common place. S. Exigent. 7. 8.

3 That a Tales de circumſtantibus is to be graunted in the xij. Shires in VVales. S. Iurors 21.

4 The Act prouided for Tanners, Curriers, Shoemakers &c. ſhal be conſtrued to extende to VVales, as amply as it doth to England 5. Eliz. 8.

5 In vvhat ſort Mortuaries ſhalbee payed in VVales and the Marches. Mortuaries. 5.

6 For

6 For the trial of treasons & misprision of treason committed in vvaies, or the marches thereof. S. Treason. 12.

7 For money paid in vvaies for the redemption of forfeitures. S. Rents. 1.

8 For the authoritie of commissioners of Sevvvers in the county of Glamorgan in vvaies. S. Sevvvers. 6.

¶ VVardes, VVardships, Mariages.

If any man do enscoffe his eldest sonne or heire beinge wⁱⁿ age, of his inheritāce, that thereby the lord might lose his wardship, yet notwithstanding such seffement, the chiefe lord shal haue his wardship. Marleb. 52. B. 3. 6. A tenant enscoffeth his heire to defeat wardship.

2 ¶ If any personnes meaning to deuise their landes for terme of certayne yerres (that they might thereby defete the lordes of the fee, of their wardships) wil faine false seffements, contayning that they are satisfied of y^e whole service due vnto the vntil a certayne terme, & y^e such seffees are bound to pay at the saied terme a great summe to the value of the same landes, or much aboue, so that after the same terme the land shall reuert to them or their heires, for that no man wil desire to holde the same of so great a price, yet by such fraude no chiefe lord shal lose his wardship. But it is not lawfull for such lordes to disseise the seffees w^{out} iudgement thereupon geuen, but they shal haue a writ to haue the wardship deliuered vnto them, & then it shal be tried by the witnesses named in y^e oorde of seoffement with other good & free men of the countrie, by the value of the land, & the quantitie of y^e summe payable after the tenure, whether such seffementes were made in good faith, or by fraude to defete the lord of his wardship, & if the chiefe lordes do by iudgement of the court reconer their wardship, yet the seffees shall haue their action reserued to reconer their terme or fee when the heires shall come to their lawfull age. And if any chiefe lordes do maliciously implead such seffees, faining this case, where the seffementes were made lawfully & in good truth, then the seffees shal haue their damages & costs awarded vnto the, which they sustained by reason of the foresaid suit, & also the playntiffes shalbe greuously amerced, Marleb. 52. B. 3. 6. S. 24. Fraudulent evasion to defeat the lord of wardship.

3 ¶ After an heire hath bene in ward, when hee is come to full age of xxi. yerres, he shal haue his inheritance without reliefe & fyne, so that if such an heire being within age be made knight, yet his lād shal remaine in the lordes custody vntil the terme aforesaide. Magna charta. 9. B. 3. 3. After wardship, no reliefe nor fine. A ward made knight.

4 ¶ If any lay man, frinde or other, do with force agaynst the Quenes peace withhold, lead away, or mary anie heire vnder the age of xxiij. yerres, & is thereof conuict, he shal pay to the party from whom the said heire is taken the value of the marriage, & shalbe imprisoned.

VVards, VVardships, Mariage.

prisoned vntill he hath paid the said value, if the childe be married, and also vntill he hath satisfied the D. for the trespass. Merton. 20. H. 3. 9. VVest. 1. 3. Ed. 1. 22. S. VVomen. 6. 7. 8. 12.

Rauishment of ward.

5 ¶ He which doth rauish & take away any man or womā childe (whole mariage belongeth to an other) hauing him self no right in the same mariage, although he do after restore the child vnmarried, or doth make satisfaction for the mariage, yet shal he be two yerres imprisoned for his offence, & if he do not restore y^e heire, or do marie him after y^e yerres of cōsent, & is not able to make satisfaction for the mariage, hēe shal abjure y^e realme, or haue perpetuall imprisonment, and thereupon the playntife shal haue a wrytte of Rauishment of ward, and if the heire chaūce to die before he bēe restored, or can bēe found, yet the suit shal pzoceede betwixt them vntill it be tried who

The heire dieth

ought to haue had the mariage if he had ben lyving, for the wrong-ful rauisho^r of such a warde shal not bēe excused or eased of hys punishment by the death of the heire, which hēe did wrongfully wolde during his life. And if the plaintife do die before the suit be determi-
ned betwixt them, if the right did belong vnto him by reason of his owne proper fee, the plēe shal bēe resumoned at the suit of the plain-
tifes heire, and shal passe in due order, but if the right did belong vnto him by reason of any other title, or by gift, sale, or such like, then the plēe shal bēe resumoned at the suit of the playntifes executo^rs, and shal passe &c. In like sort if the defendaunt dye before the plēe be determined, or the heire restored, the suit shal pzoceede by resu-
mons betwixt the playntifes heires, or executo^rs, and the execu-
to^rs of the defendaunt, or hys heires, if the executo^rs bēe not suffy-
cient as concerning the satisfaction of the value of the mariage, but not to the imprisonment (for in that sort one man shal not bēe pu-
nished for anothers offence.) In like sort when anye wryt De com-
muni custodia dependeth betwēe parties for y^e warde of an heire
of land, or of both, or any wryt de Eiectione custodie, resummons
shalbe made betwēe the heire and executo^rs of the playntife, and
the heire and executo^rs of the defendaunt, if death pzeuent any of y^e
parties before the suit determyned, in which wrytte of Communia
custodia, when the suit is come to the great distresse, there shalbe a
time gēuen, wherein there may bēe holden thre Counties at the
least, in euerye of which Counties there shal bēe open proclamation
made that the defo^rceour shal appeare in the common place at the
day contayned in the wryt to aunswere the plaintife, at which daye
if he do not appeare & the proclamation be so testified, the fyrst, se-
cond, & third time, iudgement shalbe gēuen for the playntife, saving
the defendants right if he wil at an other time defend the same. In
the same manner it shal bēe done in an action of trespass, to whom anye
man

The plaintife dieth.

The defendant dieth.

**Eiectione custo-
dia.**

**Communi custo-
dia.**

man complaineth himselfe to bee elect fro such wardships. West. 2.

13. Ed. 1. 35..

6 ¶ If any heire being above riiij. yeres of age, and under xij. do marrie without the licence of his Lord, to defeat him of his mar- age: and the Lord do offer him a reasonable & convenient marriage (without disparagement) then his lord shall retaine his land above his age of xij. yeres, so long that hee may thereof receyue y double value of his marriage, according to the estimation of lawfull men, or according to that he hath be offered before, without fraud & malice for y same marriage, & according to that it may be pproved in y Court.

Foriffactura
maritagij.

Merton. 20. H. 3. 6. West. 1. 3. Ed. 1. 22.

7 ¶ If an heire (of what age soever he bee) will not marrye at the Lordes appointment, he shall not be thereunto compelled, but when he commeth to his full age, he shall satisfie his lord of so much as hee might have receiued of another for his marriage, before he shall have his land, & that shall he do whether he will marie himselfe or not, for that the marriage of an heire within age is due to the Lord of y see.

Valore ma-
ritagij.

Merton. 20. H. 3. 7.

8 ¶ If a gardein or chiefe Lord enfeoffe any man of lande which is the inheritance of a childe within age, & in his ward, to the dishe- rritance of the heire, the heire shall forthwith have his recoverie by Assise of novel disseisin, against his gardein, & against the tenant, & the seisin shall be deliuered by the Justices, (if it be recovered) to the next friend of the heire to whom it cannot descend, for to emproue to the heires vse, & to answer the issues to y heire when hee cometh to full age, & the gardein shall lose during his life, the wardship of the thing recovered, & al the residue of y inheritance which he holdeth in the name or right of the heire, & if any other gardein then the chiefe Lord do it, he shall lose the custodie of al y thing, & shall be greivously punished by y Quene, & if an Infant be caried away or disturbed by the gardeine, or by his feoffe, or any other, by reason whereof hee cannot sue his Assise, one of his next friends that will, shall be allowed to sue for him. West. 1. 3. Ed. 1. 47.

A remedy wher
the garden ma-
heth a feffment
of the heires
lands.

9 ¶ If any heire after the death of his auncestors be within age, & his Lord hath the wardship of his lands, if his Lord will not deli- ver him his lands when he commeth to full age without suit in law, the heire shall recover his land by Assise of Mortdauncester, with y damages that he hath sustained by the withholding thereof since y time he was of full age, & if an heire at y time of the auncestors death be of full age, & is heire apparant & knowe for heire, & found in y in- heritance, the chiefe lord shall not put him out, nor take, nor remoue any thing there, but onely shall take simple seisin for confession of his seignioyte, that he may be knownen to bee Lord, and if the chiefe

A remedy for
the heire of full
age to recover
his land from
his lord.

The heire of
full age at the
death of his
auncestors shall
only pay reliefs

Lord

VVards, VVardships, Mariage.

lozd do maliciously holde such an heire out of possession wherby he is dnuen to purchase an Assise of Mortdauncester, oꝛ writ of Coſſuage, then he ſhal recouer his dāmagēs as in aſſiſe of Nouel diſciſſin, Marleb. 52. *H.* 3. 16.

The gardeins
ſhal make no
waſt of the
heires landes.

10 ¶ The Gardein of an heire within age ſhal take of the heires landes but reaſonable iſſues, cuſtomes, & ſeruices, wout diſtructyon & waſt of his men, & other cōmodities, & ſo long as he hath *h* wardſhip of *h* ſame heire, he ſhal maintaine his houſes, parkes, ſtagnes, pooles, milles, & al other things belonging to the ſame landes, wth the profits of the ſame, & ſhal deliuer to the heire when he cōmeth to ful age, his ground ſtozed wth ploughs & al other things, (at *h* leaſt as he receiued it) Mag. char. 9. *H.* 3. 5. And if a gardein do cōmit waſt, hee ſhal loſe *h* wardſhip, & if *h* loſſe of *h* wardſhip vntil the ful age of the heire be not ſufficient to recōpence *h* dāmagēs of *h* waſt, he ſhal alſo aũſwere to the heire dāmagēs, Glouceſter. 6. *Ed.* 1. 5.

Gardeins in
ſocage.

11 ¶ The gardeins of an heire within age which holdeth his lād in ſocage ſhal cōmit no waſt, diſtruction oꝛ ſale, in the ſame inhery-
tance, but ſhal ſafely kēpe it to the vſe of the heire, ſo *h* when he cō-
meth to his ful age, they ſhal make him accompt, & aũſwere hym
of the iſſues of the ſame lād: ſauiug to them their reaſonable cha-
rges. Neither may the ſame gardeins geue oꝛ ſel the wardſhip of the
ſame heire, but onely to his profit. Marleb. 52. *H.* 3. 17.

At what age an
heire female ſhal
be out of ward.

12 ¶ If the Lord of an heire female to whom the mariage be-
logeth will not mary her after ſhe hath accompliſhed the age of 14.
yeres, but ſoꝛ couetous lucre of *h* lād will kēpe her vnmarried, he ſhal
not haue noꝛ kēpe by reaſon of mariage *h* land of ſuch heire female
moze thē 11. yerres after *h* ſaid terme of 14. yerres, & if *h* lord within
the ſaid 11. yerres do not mary her, then ſhe ſhal haue an action to re-
couer her inheritance, wout geuiug any thing, ſoꝛ her wardſhyy oꝛ
mariage, Weſt. 1. 3. *Ed.* 1. 22. But *h* law of the realme is, that if a
woman be of *h* age of 14. yerres at *h* time of *h* death of her aũceſtoꝛ
ſhe ſhal haue liuerie of her lāds diſcended vnto her. 39. *H.* 6. 2.

The heire female
refuſing mary-
age, the Lord
ſhal be ſatiſſied
wth the land.

13 ¶ If an heire female of malice, oꝛ by euil counſell will not be
married by her chiefe Lord where ſhe ſhall not be diſparaged, then
her Lord may retaine her lande & enheritance vntil ſhe hath accō-
pliſhed the age of 21. yerres & aboue, vntill he hath receiued the value
of her mariage. Weſt. 1. 3. *Ed.* 1. 22.

What tyme of ſel-
mer geuech ei-
the oꝛ wardſhip.

14 ¶ If one inheritaunce diſcend to any Infant within age of *h*
fathers ſide, which helde of one lord, & an other of the Mothers ſyde
that helde of an other lord, that lord ſhall haue the mariage of whō *h*
childes aũceſſoꝛ was firſt enfeoffed, without hauing reſpect to the
ſex oꝛ quantitie of the land, but only to the moze aũcient ſeffmēt
by knighthis ſervice, Weſt. 1. 3. *Ed.* 1. 16. 28. *Ed.* 1.

15 ¶ If any Lordes do marie those which they haue in warde, being within y age of xiiij. yeres, (so that they cannot consent to marriage) to villeins or other such kind of Bozough me, where they are disperaged, then if y wards frends do complaine thereof, y lord shall lose y wardship vntil the ful age of y heire, & the profit y shalbe thereof taken, shalbe conuerted to y vse of the heire which is wim age, according to the disposition of his frendes, for y shame which is done vnto him, but if he be of the age of xiiii. yeres & aboue, so y he may & do consent to such marriage, no paine shal follow. Merton. 20. H. 3. 6.

Disperagement
of the heire.

16 ¶ If any land or inheritance holden in Socage discend to an heire of his Mothers side, the wardship of the sae heire belögeth to y next friend of the Fathers side, & econuerso. 22. Ed. 1.

Who shalbe
garden in
Socage

17 ¶ The Quene shal haue the wardship of al their lads which hold of her in chiefe by knights seruice, wherof y tenants were seised in their demesneas of fee, the day of their death, of whom soever they hold by like seruice, so that they held of auncient time any lads of the M. as of her Crowne, vntil y heire come vnto his lawfull age, (except the fees of y Bishops of Canterbury & Durham, betwene Tine & Teese, & of Brls & Barons of y marches) &c. Prærog. Regis. 17. Ed. 2. 1. And therefore because the M. shall haue as well those lads which be holden of others, as which be holden of her selfe, wherof her tenant died seised during y minority of y heire, & vntil he hath sued liuerie, such mesne lordes during such minority, shal receiue the rents due to the for y same lads holden of the by y hands of such of y Quenes officers as be appointed to receiue & take y profits & reuenues of y same lands so holden of such mesne Lords, during the minority of such heire, & vntil he sue his liuerie. And such heire vntil he shal or conveniently might haue sued his liuerie, shalbe thereof discharged, & such officer shal vpon request made, pay the same to such meane Lords, they geuing to him a sufficient acquittance, & such payment & acquittance shewod, shalbe to the same officer a sufficient discharge vpon his accompt. 2. Ed. 6. 8. S. Prærogatiue 1.

wardshippe of
the which hold
by knights ser-
uice in chiefe of
the Quene.

How the meane
lords shalbe au-
swered, their
chiefe rent du-
ring the heires
minoritie.

18 ¶ But if any doe holde of the M. by fee farme, or Socage, or Burgage, & he holdeth lads of an other by knights seruice, y Quene shal not haue y custodie of his heire, nor of his land which is holden of an other mans fee, by reason of y fee farme, socage, or burgage, neither shal she haue y custodie of such fee farme, socage, or burgage, except knights seruice be due vnto her out of the said fee farme, neither shal she haue y custodie of y heire, or of any land holden of an other by knights seruice, by occasiõ of any petty sergeanty y any m̃a holdeth of her, to pay a kniſe, an arrow, or other like thing. Mag. Chart. 27.

Tenure by fee
farme or socage
draweth no
wardship of
other lands.

petty sergeants

19 ¶ The Quene shal haue the marriage of an heire being wim age & in her custodie, whether the land of such heire haue of auncient time

Marriage.

VVardes, VVardships, Mariage.

time ben holden of þe Crowne, or that it came by reason of Elchete being in þe Quenes hands, or þe hath þe mariage by reason of the ward of the Lord of such heire, wout respect or pzoztie of fessment although the heire hold of others. Prerog. Regis. 17. Ed. 2. 2.

The Quenes
woman tenant
married in the
life of her aun-
teler.

20 ¶ If a woman befoze the death of her auncestoz, which helde of the Quene in chiefe be married, befoze she be marigeable, the þe Quene shal haue the wardship of the same woman, until she be of þe age able to consent, & the she may chose whether she wil haue him to whom she was first married, or him þe Quene will offer her, Prerog. Regis. 5. 17. Ed. 2. 5.

Wast in wards
lāds by the Q.
committee.

21 ¶ If the Quene do commit the wardship of the land of any heire in her custodie to the sherife, or any other to aunswere to her grace the profits of the same lands, & he do make wast or distruction in the wardship, he shal make amends to the Quene, & the lād shal be comitted to ii. lawfull & discreete men of the same see, which shal aunswere the Quene, or him which she wil assigne, the profits of þe same lands, Magna Chart. 4.

Wast in wards
lāds by the Q.
grauntce.

22 ¶ If the Quene do geue or sel to any man the wardship of any such land, & he doth make wast or distruction therein, hee shal lose the wardship, & it shalbe deliuered to two lawfull & discreete men of the same see which shal aunswere þe Quene the profits &c. Magna Chart. 9. H. 3. 4.

An Elcheto:
shal haue no fee
nor comit wast
in wards lands

23 ¶ An Elcheto: shal haue no fee of wood, Wenison, fish, nor o: ther things, but shal aunswere to the Quene the issues and profits yearly comming of wards lands, without doinge wast or distruction. And if any Elcheto: or Subelcheto: do commit wast in any wards lands, as in houses, woods, parks, warrens, or other things þe sal into the Quenes hands, he þe hath receiued the losse shal haue an action of wast out of the Chauncery against þe Elcheto: for his act, & the subelcheto: for his act (if he haue whereof) & if he haue not, bys Master shalbe aũswerable for the damages. And if the Elcheto: be attainted of wast, he shalbe punished at þe Q. pleasure, & yelde to the heire treble damages at the heires owne suit, aswel within age, as of ful age, & his friendes as long as he is within age, shal haue þe suit for him, aunswering to the heire þe which shalbe recouered. Articuli super chart. 34. Ed. 1. 18. 36. Ed. 2. 13.

Fraudulent co:
uicia to defeat
the Quene or
other Lords of
their wardship
&c.

24 ¶ If any person hauing estate of inheritace, of, or in manors, lands, tenements, or hereditaments, holden of þe Quene by knights service in chiefe, or ather wise of the Quene by knights service, or of any other person or persons by knights service, hath geuen at any tyme sith þe 5. rr. day of July. 32. H. 8. An. D. 1540. or hereafter shal geue, wil, deuise, or assigne by will, or other act executed in his lyfe, his manoz, lāds, tenements, or hereditaments, or any of the by fraud

or couin, to any other person or persons, for terme of yeares, life or liues, with one remainder ouer in fee, or with diuers remainders ouer for terme of yeares, life, or in taile, with remainder ouer in fee simple to any person or persons, or to his or their right heirs, or at any time sithen the said xx. daye of July hath conueyed, or hereafter shall conuey or make by couin, (contrarie to the true intent of y^e act p^{ro}vided. 34. H. 8. For the making of willes) any estates, conditions, mesnalties, tenures, or conueyances, to the intent to defraud or dysceine the M. of her prerogative, primer seisin, luerie, reliefe, wardships, mariages, or rights, or any other lordes of their wardships, reliefs, heriots, or other profits which should or ought to accrue, grow or come vnto the or anye of the, by or after the death of his or their tenant, by force & according to the statutes made. 32. H. 8. 1. & 34. H. 8. 5. And the same estates & other conueyances being found by office to be so made by couin, fraud, or disceit, contrary to y^e true intent of y^e said act: Then the M. shall haue as well the wardship of the bodye, & custody of the landes &c. as luerie, primer seisin, reliefe, & other profits which should or ought to appertaine to her, according to y^e true meaning of the said acts, as though no such estates or conueyances by couin had neuer be had or made, vntil the said office be lawfully vndone by trauers or otherwyse. And the other lord & lordes of whō any such landes &c. shalbe holden by knights service, as is aforesayd, shal haue their remedye in such cases, for his or their wardshypps of bodies & landes, by writ of right of ward, & shal distraine & make a noyrie or cognisance by the selues, or their bailiffes for their reliefs, heriots, & other profits which should haue be to the due, by or after y^e death of their tenant, as if no such estate or conueiance had bene had or made: Saving the right & title of the donees, seffees, lesses, & devisees therof against the said deuisor & his heires, after the interest & title of the M. or other lord therein ended. 34. H. 8. 5.

The donees shal be saued after the Lordes interest determined.

25 ¶ If two or moe do hold any landes, tenementes, or hereditaments of the M. by knights service toyntly to them, & the heires of one of them, & he that hath the inheritance therof dieth, his heire being vñ in age, the M. shal haue the ward & mariage of y^e body of such heire, the life of the freeholder or freeholders of the said lāds &c. notwithstanding. 32. H. 8. 1.

Wardship by reason of a remainder only.

26 ¶ All wardes which the Quene is intituled to haue with their manors, landes, tenementes, rents, remainders, reuerfions, seruices, & al other hereditamentes, as well in possession as reuerfion, & al reuerfues, issues, and profits of the same, for the time the same be, or ought to be in the Quenes possession, shalbe in the order, suruey, & gouernance of the Quenes court of wards and lueries, & the mynisters of the same. 32. H. 8. 46.

At the Quenes wards, & there landes in the order of the court of wardes.

V Vardes. V Vardships, Mariage.

The auctoritie
of the head of
ficers of the
court of wards
and liveryes.
of the wardes.

Woodsales.

Reparations.
Liveryes.

The Quenes
widowes.

Deots.

Intrusion.

27 ¶ The Master, Atturney, Receiuor general, & Auditors of the Court of Wardes & liveryes, or thre of them, whereof the Master shalbe one, haue auctoritie to make sale & graunt of the M. wardes & euery of them, & of part of their lands during their minoritye, the same sale & graunt to passe by the Quenes bill assigned. And also the said Master with the aduise of the said Atturney & Receiuor, or one of them, haue auctoritie wout the Quenes bill assigned, to make woodsales to the Quenes vse, of all vnderwoodes, vpon any of the Quenes wardes lands, being lawfully in the Quenes possession. And to take & appoint tymbre for the necessarie reparations of al castels, manors, lands, tenements, & parkes of the said wardes. And in the Quenes name to make leases during the minoritye of the said wardes, of al Lordships, manors, lands, & tenements, remaining in the Quenes hands, & belonging to the said wardes, yelding to the Quene such rents, as shalbe thought conuenient by the discretion & suruey of the said Master, Atturney, Receiuor, & Auditors, or thre of them, whereof the master to be one. And also the said master by the aduise of the said Atturney, Receiuor, & Auditors, or thre of the, hath auctoritie to suruey al the Quenes widowes, & to treat, common, & conclude with all and euerye of them that haue married them selues wihout the Quenes licence, for their reasonable fines to be made to the Quenes vse, and to take and assesse the same by their discretion, according to the statute of Prærogatiua Regis. And also to suruey, gouerne, and order all and singuler Deots, and natural Fowles, which be in the Quenes hands, & at the manors, lands, & hereditaments &c. being in the Quenes hands, or in the hands of any other person to their vles, that do come or be in her graces handes, in the right of any of them, by reason of her prerogatiue royal. And by the said aduise &c. thre or two of them to let and set the manors, lands, and tenements to the Quenes vse, for the time of the Quenes interest, for such rent & fine, as by their discretions shalbe thought conuenient, the finding and keeping of the persons, their wiues, & children, and the reparations of their said houses & lands alwayes to bee considered. And the said Master with the aduise of the said Atturney, Receiuor, or one of them, hath auctoritie to call at al times before them, into the office of the wardes &c. by the proces of the same Court, euery person which is or hath bene the Quenes warde, intruding, or entering into, or vpon his lands, or vpon any part thereof, after his full age of xxi. yeres, and bee fore hee hath sued and obtayned his Liverye, or Ouster le maine for the same, out of the M. hands, vnder her great scale, as wel to make answer for his intrusion vpon the Quenes possession, as to make paymēt to the Quenes Receiuor general of the same court, of al such rents, issues, & profits by

by him taken at any time after his full age of xxi. yeares, & before li-
uiered for the same out of the Quenes hands. And the said Mas-
ter in al places, & the said Attorney, Receiuer general, & Auditors,
or two of them in the said Court, (the Master beinge absent) haue
auctoritie to take obligations to the Quenes vse, of every particu-
ler Receiuer, which shalbe assigned for the said Court, & of his suc-
cessors for sure payment of his receipts, & to take obligations to the
Quenes vse, of every farmor, bailife, reue, or other accou-
ntants for the true payment of their receipts, & of every persō whiche
is indebted to the Quene for any arerages of his receipts, farmes,
or charges, as of any other person, for any other cause or matter co-
cerning the premisses, determinable with in the said Court. And all
such obligations & writings obligatorie, of what summe soeuer they
be, be of the same strength, qualitie, & effect, to all intents, as wry-
tings obligatorie, made by any lay person by auctoritie of y^e Statute
Staple ben or ought to be. And upon certificat made in the Chauncery
of any such writings obligatorie, taken for such paymētts, like proces
& executions shalbe thereupon had & made against any person spiri-
tual & temporal, as hath be accustomed to be made against any lay
person upon certificat of writings obligatorie of the said Statute of the
Staple. And y^e Master, Attorney, & Receiuer general, or 2. of the haue
auctoritie to set such fine, as by their discretion shal seeme good, w^{ch}
any person called by y^e Quenes proces of y^e same Court, to appeare
at Westminster in y^e same court w^{ch} in the terme, at a certayne day to
him prefixed to appeare, & hath day giue in Court to make answer
to the matters objected against him in the sae court in y^e M. behalfe,
which doth depart the Court before answer made, & attorney put
into the court w^{ch} assent of the court, for prosecuting the matter with
effect, which fine shalbe leuied of his lands, tenements, goods, & cat-
tels, to the Quenes vse. And also the said Master hath auctoritie to
make & appoint al singular particular Receiuers, Feodaries, & sur-
ueyors, in every shire, & also fees for executing the same vnder y^e seale
of the same office, in such wise as the same Officers may be alwaies
removable at the discretion of the said Court. And also to make al-
lowance of the costs of all Commissioners, particular Receiuers,
Surueyors, Auditors, Councellores, & Feodaries, & every of them,
by his bil assigned, which bil is a sufficient warrant to y^e Auditors
of y^e same Court, to make allowance of y^e same. And the said Master
hath auctoritie to take Recognisances of al persons y^e be called in
to y^e said Court to answer to any matter alleaged against them in
y^e said Court, to make their daily apparance in the said Court, to an-
swer to such matter, as to them, the & there from time to time shal
be alleaged. And al such recognisances of what summe soeuer they be,

Bonds of ac-
comptants.

S. 33. Ed. 3. 39.
That the fine
shalbe in the
same Court
vnder the seale
of the same
Court of
wardes &c.

Assessing of
fines.

Appointments
of Officers.

Recognisance
of apparance.

VVarrantie.

Of moderating of
recognisances
f. 347. b.

Committing
to prison.

Concealing of
bonds.

The fees for
proces & recog-
nizing apparence

be as good & effectuell in the law to al intents, as recognisances ta-
ken in the Chauncery or els where, before any Judge of record, wi-
thin this Realme. And the said Master with the aduise of y^e Court, or
of such number of the same as then be present, so that they be ij. be-
side the said Master, have full power to moderate such recognisances,
as be there forfeited, & to set fines for the same to the Quenes vie
under the summes contained in the said recognisances, the same fines
to be leued by proces of Scire facias &c. And the said Master with the
aduise before said, hath authoritie to commit to warde any person or
persons for his or their disobedience, contempt, or other offence to
be made, triable within the said Court, & vpon the said matters or-
dered, there to deliver them from prison, and to cancel & make voide
all recognisances & obligations taken in the same Court to the Q.
vie, when the said Master with the aduise of the said Court or thre
of them, shal see the matters for the which any such recognisance or
obligation was taken to be finished, and the Quene or the partie
thereupon satisfied without any other warrant for the same. 32. H.
8. 46. 33. H. 8. 22. 33. H. 8. 39.

28 ¶ The Master & Officers of the Court of Wards & liveries,
shal take for the fee of al proces, at the suit of the parties vnder the
prince seale of the same Court iii. s. vi. d. And for the fees of al Com-
missions, directed out at y^e suit of the parties ii. s. vi. d. And for recog-
nizing of al apparances iii. s. d. and no more. 32. H. 8. 46.

1 Within vvhath time a patent of vwardship shalbe sued forth af-
ter the graunting thereof. S. Patents. 12.

2 What those Officers of the Court of vwardes shall forsayte,
vvhich doe vvithdrawv or conceale any of the Quenes rents or
profits. S. Offices. 7.

¶ Warrantie.

Iⁿ Deedes where it is contained, Dedi & concessi tale tenemen-
tum, &c. I have geuen and graunted such a tenement, without ho-
mage or any clause that containeth warrantie, & to holde of the do-
nors & their heires by a certaine service, & donours & their heires shal
be bound to warrantie. And where it is contained Dedi & concessi
&c. to hold of the chiefe Lords of the fee, or of any other then of the
feoffors or their heires, reseruing no service to him selfe, wout ho-
mage, or without the foresaid clause of warranty, his heires shal not
be bound to warrantie, but y^e feffor by reason of his gift shalbe bound
to warrantie during his owne life Siatur' de Bigamis. 4. Ed. 1. 6.

1 Where the Quene shalbe bound to warrantie. S. Ayde of the
Quene 1.

2 Where a womans suit or her heires shal not be differred by the
minoritie of the heire vvhich should warrat the lads. S. v women. 12.

¶ Fermors

FErmoys during their termes shal not make wast, sale, or erile of houses, woods, & me. nor of any thig belōig to y^e tenemēt; which they haue in ferme wout they haue special graūt by w^{rit}ting, makig mencion of the couenant that they may do it. Marlib. 52. B. 3. 24.

No fermoy shal make wast w^{out} warrant.

2 ¶ A man shal haue an action of wast in y^e Chaucery against him which is tenant by the curtesie of England, or other wise, tenāt for terme of life, or for terme of yeeres, or against a woman which holdeth in doower, & he which shalbe attainted of wast, shal lose the thing wasted, & besides shal pay treble so much as the wast shal be tared, Gloucester. 6. Ed. 1. 5.

An action of wast against tenant by the curtesie, for life or yeeres.

3 ¶ Of euery maner of wast committed in any mans inheritance by gardeins, tenants in doower, by the curtesie, or other wise for terme of life, or for terme of yeeres to the damage of an other, a w^{rit} of summons shalbe awarded, and if after the summons, he against whom the w^{rit} is brought appeare not, he shalbe attached, & after the attachmēt he shalbe distrained, and if he appeare not after the distress, the sherife shal be commanded, that in his owne proper person taking with him xii. &c. he shall go vnto the place wasted & enquire of the wast committed, & returne the inquisition, & after the inquisition is returned, iudgement shalbe given, as is contained in the stat. of Glocest. West. 2. 13. Ed. 1. 14. S. 2.

Process in an action of wast.

A writ to enquire of wast.

4 ¶ If any persons doe let their lands to any other for terme of life, for terme of an other mans life, or for terme of yeeres, and the tenants do graunt their estate which they haue in the same, to any other persons to the intent that they in y^e reuerfion should not knowe their names, & after the first tenants do continually occupy the said lands, & take thereof the profits to his owne vse, & in the said lands commit wast to the disheritance of them in the reuerfion, in such case they in the reuerfion may haue & mayntaine an action of wast against the said tenants, & so recover against the place wasted, & their treble damages for the wast committed, as they ought to haue done for y^e wast by them done before the said graunt. But this ordinance holdeth not place, but where y^e first tenants were punishable of wast before the graunting of their estate, & also where after the said graunt they toke y^e profits of the same lands to their owne vse, at the time of the wast committed. 11. B. 6. 5.

Tenant for life or yeeres, graunteth ouer his estate, taketh y^e profits, & committeth wast.

5 ¶ Whereas two or moze do hold any wood, turbarry, fishing, or other such things in common, wherein none knoweth his owne seuerall, and one of them doth commit wast against the will of the other, an action of wast may lie, & when it is come vnto iudgemēt the defendandt shal chose eyther to take his part in a place certayne by the assignement of the sherife, & by the view and oth of his neighbors two or three and tried for the same intent, or els hee shal graunt to

Wast committed by a tenant in common.

Watch & warde. VVaxe.

take nothing fro thenceforth in y^e same wood, turbarie, & such other, but as his partners wil take, & if he doe chioise to take his part in a place certain, the place wasted shalbe assigned for his part according as it was befoze he committed the wast. *Winchest. 2. 13. Co. 1. 22.*

1 The remedy vwhere wast is committed in any vvards landes. *S. Wardes. 10. 11. 21. 22. 23.*

¶ Watch & vvarde.

When the night
watch shall be
gin and end.

Arresting of
night walkers.

From the feast of Ascencion vntill Michelmass in euery Citty, bi-
men shal watch at euery gate, in euery bozough xii. men, in euery
towne bi. or iiii. according to the number of the inhabitantes of the
towne, & shal watch y^e towne al night, from the sunne setting to the
sunne rising, & if any stranger do passe by thē he shalbe arrested vntill
morning, & no suspicion be found he shall go quite, & if they finde
cause of suspicion, they shall forthwith deliuer him to y^e Sherife, & the
Sherife shal receiue him wout hurt, vntill he be acquitted in due ma-
ner, & if he wil not obey y^e arrest, they shal leuy buy & cry vpon him,
& such as keepe the townes shal solow with buy & cry w al y^e townes,
& the townes neare, & from townes to townes, vntill he be taken and
deliuered to the Sherife, as befoze is said, & for the arrestments of such
strangers none shalbe punished. *Winchest. 13. Co. 1.*

Warding of
walled townes.

2 ¶ In great townes walled, y^e gates shalbe shut fro the sunne
setting vntill the sunne rising, & no man shall lodge in y^e suburbs or a-
ny place out of y^e townes fro ix. of y^e clocke vntill day, except his host
will answere for him, & the bailifes of townes euery weeke, or at y^e
least euery xv. day shal make inquirie of all persons being lodged in
the suburbs, or in fozeine places of the townes, & if they finde any y^e
hath receiued any suspicious persons not keeping y^e Quenes peace,
the bailifes shal execute right & Justice therein. *Winchest. 13. Co. 1.*
And Justices of peace haue power to make inquisition in their ses-
sions from time to time, & to punish them which be found in default
after the tenour of the foresaid Stat. of *Winchest. 5. H. 4. 3.*

¶ Waxe.

Using deceipt
by mixture in
melting of wax.

Euery person within this realme, or the dominions of the same,
which shall in the making and melting of ware, by any way or
meanes vse or practise, or cause to be vused or practised any manner
deceipt by mixture & mingling the same w Rolen, Tallowe, Tur-
pentine, or any other deceiptfull thing, to the intent to sell and vtter
the same, or offer the same to be solde or vttered for ware, to any
person or persons whatsoever, shall forfait and lose the same ming-
led or corrupted ware. And if the same corrupted ware shall hap-
pen to be solde befoze such default and corruption shalbe found, then
the

the said melter, mingler, or corrupter, canser or procurer thereof, shall forfeit for every pound two shillings, whereof the one halfe to the Duene, the other halfe to the partie deceived, if he wil sue for it, or any other person or persons that will sue for the same, in any of the Duenes Courts of Record. 23. Cl. 8.

2 ¶ Every melter and maker by or by wrought ware, shall have for himselfe a stampe, or marke of the breadth of sixe pence, where in two letters shall be plainly grauen, signifying his name and surname, and with the same shall stampe every peece of ware, to bee printed or stampen trapangle, in three places vpon the outside of the upper part of every peece so melted and cast, vpon the paine to forfeit the value of every peece or cake solde, or offered to be solde, & not so stamped or marked. 23. Cl. 8.

Every melter
of ware, shall
haue his mark.

3 ¶ No person or persons within this Realme, or the domynions thereof, shall melt, mire, worke, or sell any maner of wrought ware, stuffe or wares wrought with ware, as in lightes, stastozches, redware, or sealing ware, bookcandle, searingcandle, searinge of dead corpes, lynkes, greene ware, redware, or any other worke, or thing whatsoeuer, to be done or wrought with ware to bee put to sale, but with good, holisome, pure, and convenient stuffe, meete in such wares or worke in convenient quantitie to be bled. And every person or persons, that shall worke or sell such stuffe or wares of ware, shall haue a marke or stampe, or scale, to set on his or their worke by him or them wrought, or solde, to the intent that if any disceipt be bled or done, it may be knowen who were the workers thereof, and such person or persons as shall be founde or knowen to worke or sel, or to sale put, any such false ware, or wares wrought with ware to be put to sale, shall forfeit & same corrupted or deceitfull ware & wares, the one halfe to be to the Duene, & the other to the party deceived, if hee shall sue for the same, or other wise to him or them that will sue for the same, by A. B. D. or J. in any of Duenes courts of record, wherein no C. D. or W. shall be allowed. 22. Cl. 8.

Wrought ware
marked.

4 ¶ Every person or persons whatsoeuer, which shall sel or offer to be sold, any corrupted and false mingled ware, shall forfeit the sayd ware, the one moiety thereof to be to the D. and the other to the party deceived, if he shall sue for the same, or other wise to him or them that will sue for the same as aforesaid. 23. Cl. 8.

Corrupted or
false mingled
ware forfeited.

5 ¶ Provided alwaies; that this act, as touching the marking of ware, shall not extend to any person or persons, selling the ware of their owne bees in open markets in smal peeces, nor to any seruant or seruants, or other persons, mingling or corrupting any ware, by commandement of their master or other person hauing auctorizyt over them, so as they will confesse the same. 23. Cl. 8.

Selling ware
of their owne
bees.

Waighres & Measures,

Counterfaying
of markes, or
marking with
an others
marke.

6 ¶ If any person or persons shall at any time hereafter counterfayt any the markes aboue mentioned, or shall set to y^e marke or markes of any other person or persons without the consent of the same person or persons whose names the same markes shall signifie, every such offendor in the premises shall forf. for every such defaulte fine pound: the one moiety thereof to be to the Quene &c. and the other moiety to the partie deceived, if he wil sue for the same, or otherwise to any other person or persons that wil sue for the same by B. A. or J. in any of the Quenes Courts of Recorde, wherein no C. B. or W. shall be allowed. And for non sufficiency of payment thereof, to bee set on the pillorie, in the next market towne to the place where such offence shall be committed, & to suffer iii. moneths imprisonment, without bayle or mainprise for every offence committed contrary to this article of this present act. 23. El. 8.

¶ Waighis & Measures,

One waight, &
measure cho-
rough y^e realme

One waight, one measure, and one yerde, shall be throughout the whole realme, as wel without y^e staple as within. Magna charta 26. 14. Ed. 3. 12. 27. Ed. 3. 10.

A bushell.

2 ¶ By the consent of the whole realme of England the measure was made, that an English peny called a sterling, rounde, and without clipping shall waigh xxxii. cornes of wheat in y^e midst of the eare, & xx. li. shall make an ounce, xii. ounces of Troy weight shall make a pound, and viii. pound of Troy weight shall make a gallon, viii. gallons shall make a bushell, which is the viii. part of a quarter, Compositio mensurarum. 51. Ed. 1. 12. H. 7. 5.

A quarter of
corne, a stone, &
sacke of wool.

3 ¶ There be but only viii. bushels rated and stricken to y^e quarter of Corne, & xiiii. li. to the stone of wool, & xxvi. stone to the sacke. 11. H. 7. 4. 1. H. 5. 10. 15. R. 2. 4. 34. Ed. 3. 6. And whosoever doth buy or sell wooles at more waight then at xiiii. pound the stone, shall pay double to the partie grieved, & make fine to the Quene, according to the quantitie of the Trespas. 13. R. 2. 9.

An acre of
ground.

4 ¶ Three graines of Barley byre and rounde doe make an ynche, twelue ynches doe make a fote, thre fote do make a yerde, five yarden and a halfe do make a perch, and forty perches in length and foure in bredth do make an acre, Compositio vinarum et perticarum.

The

The breadth			The length of the acre.			The breadth			The length of the acre.		
Perche	Perche	Perche	Perche	Perche	Perche	Perche	Perche	Perche	Perche	Perche	Perche
10	16	0	28	5	11	11	14	28	5	11	14
11	14	9	29	5	8	11	14	29	5	8	14
12	13	5 $\frac{1}{2}$	30	5	5	11	14	30	5	5	14
13	12	5 $\frac{1}{3}$	31	5	2	11	14	31	5	2	14
14	11	7 $\frac{1}{4}$	32	5	0	11	14	32	5	0	14
15	10	11	33	4	14	11	14	33	4	14	14
16	10	0	34	4	11	11	14	34	4	11	14
17	9	6 $\frac{2}{3}$	35	4	9	11	14	35	4	9	14
18	8	14 $\frac{2}{3}$	36	4	7	11	14	36	4	7	14
19	8	6 $\frac{1}{3}$	37	4	5	11	14	37	4	5	14
20	8	0	38	4	3	11	14	38	4	3	14
21	7	10 $\frac{1}{4}$	39	4	0	11	14	39	4	0	14
22	7	4 $\frac{1}{2}$	40	4	14	11	14	40	4	14	14
23	6	15 $\frac{1}{2}$	41	3	13	11	14	41	3	13	14
24	6	11	42	3	13	11	14	42	3	13	14
25	6	6 $\frac{2}{3}$	43	3	11	11	14	43	3	11	14
26	6	2 $\frac{7}{13}$	44	3	10	11	14	44	3	10	14
27	5	15 $\frac{5}{13}$	45	3	9	11	14	45	3	9	14

6 ¶ The waight of a way of Cheese must containe xxxii. clones, that is to say, every clone viii. pound by the waights touching. 9. ¶ Cheese. 6. 8. Quere if a clone be vii. pound or viii. pound.

7 ¶ Anno. 11. H. 7. 4. & 12. H. 7. 5. It was enacted, that there should be carried into every Citie, Borough, & market towne hereafter named, one of every waight & measure, which the sayde king H. 7. caused to be made of Brasse, according to his standard of his Elchequer, there to remaine for ever in the keeping of the head Officer of the same citie, borough or towne, as the kings standard of waight & measure, and that the inhabitants of all cities, boroughes, and market townes within every of the sayd shires, shoulde make,

pp.iii.

03

Waights & Measures.

The names of
the townes li-
censed for the
privileg of waights
& measures.

or cause to be made, to remaine to the; comō measures & waights,
according to the same waights & measures; & the same measures &
waights should be viewed, examined, printed, signed, & marked by
the head officer, in whose possession the said standards should remaine.

Westmerl.	Towne of Appleby	Surrey	Towne of Cuske
Northumb.	T. of Newcastle	Sussex	T. of Lewes
Cumberl.	Citie of Carlisle	Derby	C. of Derby
Lanc.	T. of Lancaster	Berk.	T. of Reading
Chor.	Citie of Poole	Hereford	T. of Hereford
Lincoln.	Citie of Lincoln	Salop.	T. of Shrewsb.
Derb.	T. of Derby	Staff.	T. of Stafford
Notingham.	T. of Nottingham	Glouc.	C. of Gloucester
Leycest.	T. of Leicester	Wilt.	C. of Wiltshire
Warre.	C. of Coventrie	Wilts.	C. of New Sar-
Notyl.	T. of Nottingham	liffbury.	
North.	T. of Northampton	South.	C. of Winchester.
Bed.	T. of Bedford	Som.	T. of Rochester
Buck.	T. of Buckingham	Dorset	T. of Dorchester.
Canterb.	T. of Cambridge	Devon.	C. of Exeter
Hunt.	T. of Huntingdon	Cornew.	T. of Lestwithiel
Notf.	C. of Norwich	London	C. of London
Suff.	T. of S. Edmundes	Wiltshire	C. of Wiltshire
Essex.	T. of Chelmsford	Quincy port.	Castle of Den-
Herts.	T. of Hertford	Coventry	C. of Coventry
Midd.	C. of Westminster	South.	T. of South-
Kent.	T. of Maidstone	Chester	hampton.
			C. of Chester.

Head officers
may signe
waights & mea-
sures to every
man that will.

8 ¶ Every head Officer having the said waights and measures
signed and printed under the signe and print for the same, hath au-
thoritie to make, signe, and print, like waights and measures unto
every the Quenes subjects duely requiring the same, taking for mar-
king or sealing of every bushell i. d. of every other measure ob. of eve-
ry C. waight i. d. of every halfe C. ob. & of every waight under. qz. &
not above, upon paine to forfeit. for every time the he refusethe or doth the
contrary thes. to the Quene & J. that will sue by A. of debt, wherein
no W. to. 1 R. 7. 4. 12. H. 7. 5.

None shall buy
or sell but with
waights & mea-
sures signed
and printed.

9 ¶ No merchant, or other person within any citie, or market
towne, shall buy or sell with any waight or measure, except it be mar-
ked, signed, or printed in forme aforesaid, nor any other person out of
the said cities, boroughs & market townes, except it be like & equall
with the said standard. And every person aswell without cities, bo-
roughs, & market townes as within, shall buy & sell with a bushell
sealed, signed, or marked after the forme aforesaid, & none other wise.

But

But this act shall not extend to any person selling or buying by water measure within y^e ship bord, but y^e same shall only containe b. pecks after the said standers raised & striken, neither shall this act extend to any waights appertaining to the cunage of tyme within the counties of Cornwall & Denonshire, but al such waights shall be vled & corrected as hath bene vled. 1. 1. H. 7. 4. 12. H. 7. 5. 10. Water measures
waights for
cunage of
tyme.

10. ¶ At the Shaiors, Bailifes, and other head officers of every citie, borough, or market towne, shall cause twice in the yere or oftener, as they shall thinke necessary, al waights & measures within y^e said cities &c. to be brought before the, & to be duly viewed & examined, & such as they shall find defectiue immediately to be broken & burnt, & y^e offender shall for the first time be .s. viii. d. to the said Shaior, bailife, or any other having iurisdiction & correction in y^e behalfe, & at y^e second time xlii. s. iii. d. And at y^e thurde time xx. s. and for the further punishment, shall be set vpon the pillory to y^e example of other. But the examination of defaults abovesaid & punishment to the offenders of every offence committed within any of the five ports shall be done by y^e Lord warden of the said b. ports, or by his lieutenant & none other. 7. H. 7. 3. 11. H. 7. 4. 12. H. 7. 5. S. Iustice of peace, 92. Viewing & examining waights & measures.

11. ¶ Every citie vpon paine of xli. every borough vpon paine of C. s. And every towne where a Constable is vpon paine of xl. s. to be leued to y^e vse of the M. so oft as they shall be found defectiue, shall haue a comon ballace wth waights according to the stander of the Eschequer. 8. H. 6. 5. But these penalties shall not extēd to any towne which is no citie, borough, or market towne. 11. H. 7. 4. By the foresaid stat of 8. H. 6. the Burgeses of the borough of Dorchester shall not be disturbed of their right to vse their weighing by ri. misset about the same borough, vling alwaies such comon waights as be according to the stander of the Eschequer. 9. H. 6. 6. Every citie, borough & market towne that haue a comon ballace & waights.

12. ¶ At the common ballance, & comon waights sealed, of every citie, borough, & towne, al y^e inhabitants of y^e same citie, borough &c. may freely waigh wthout any thing paying, taking neuertheles of forres for every draught within y^e waight of xl. li. q. & for every draught betwixt xl. & C. li. ob. & for every draught betwixt C. li. & a H. li. i. d. at the most, wherof the waights shall be maintained, and the officer rewarded by the discretion of the chief of the citie, borough &c. according to his attendance. 8. H. 6. 5. Every one may weigh at the comon ballance & waight.

13. ¶ Iustices of peace, Sherifes, escheators, & other commissioners assigned by the M. haue power by comission to enquire of all falsifiers & counterfeiters of false waights, & to take & imprison them, & in prison to hold them wthout mainprile, vntil they be acquitted or attainted, and if they be attainted, their bodies shall remaine in prison vntill they haue made fine and ransome accordinge to the Iustices.

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weighing by e: 14. **¶** Allelles, & all manner of Auer de poyz shall be weighed by
qual balance, & ballance which is equal, & by lawfull weighte fealed according to

3.10.13.14.2.9.8.10.6.5.

The Amise of breads etc.

2017

he

he shalbe set vpon the Pillorie. And the Pillorie shalbe of sufficient strength, that the iudgement may be executed vpon the offendours without perill of the bodye. S. Bruers 2.

1 By vvhat measure the Queenes Purueyours shall take corne and other vitaille. S. Purueyours 16.

2 For the length, bredth, and vvaight of all maner of cloth. S. Draperie 1. & c. 70.

3 For the assise, length, and bredth of Couerlets made in Yorke shire. S. Couerlets 3.

4 For the content of eche vessell of vvine, honey, and oyle. S. Wynes 16.

5 For the content of a Butt, Barrell, halfe barrell, & other vessell of Salmon. S. Fish 8.

6 For the content of a barrell, halfe barrell, and firkin of herrings & Eles. S. Fish 9. 10.

7 For the cōtēt & vvaight of barels & firkins of sope. S. Sope 1.

8 For the content of euery vessell made for Ale and Beere. S. Coupers 2.

9 Hovve he shall bee punished, vvich occupying buying of Peyvter or brasse, doth occupie any deceiuable beames & vvaights. S. Peyvter 4.

10 That wollen cloth shall be solde by the yarde and ynych. S. Draperie 70.

11 By vvhat measure Millers shal take their Tolle. S. Tolle 2.

¶ VVeares.

By Stat. of Magna chart. chap. 15. 16. & 23. It was provided, Bridges.
That no village or freemen shoulde bee distrained to make any Bankes.
Bridges or Bankes, but such as by right they had wont to make,
Nor that any bankes should be from thenceforth defended, but such
as were defended in the time of king H. 2. & by the same place & the
same bondes. And that all weares shoulde be wholly put downe by
Thames, Medwey, & through al Englad, sauing by y Sea coast. Weares.

2 ¶ All such weares, mills, stankes, stakes, & kiddels, which be
leued & set vp in the time of R. Ed. 1. & after, whereby ships & boats
be disturbed y they may not passe in such rivers as they were wont,
shalbe taken away & pulled downe, & not be set vp againe, & therup-
on writs shall be sent to the sherifes of the places where neede is, to
suruey, inquire, & therof make execution. And also Justice; shalbe as-
sistant as oftē as need shall require. 25. Ed. 3. 4. And if any such an-
lance be pulled downe, according to y content of y foresaid stat. he y
shal leuy or set vp y lāe againe, & thereof shalbe in due maner attaint-
ed, shal forfait to the Quene C. markees, to be leued by y estreats
of the Nere weares
shalbe pulled
downe & not
repaired

1000-1000-1000

**Commissioners
allowance for
their pains.**

An offence not
rejoiced, accord-
ing to the Co-
missioners
award.

5. ¶ If by awarde or iudgement of any of the said Commissioners assigned according to y^e said stat of 1. H. 4. it be founde that any such weares, fishgarthes, mills, mildams, milstankes, lockes, hebbings, weares, stakes, kiddels, heckes, or sluogates be made, leuied enhau^ssed, straighted, or enlarged, cōtrary to the same statut, if y^e offenders in this

at this behalfe, contrary to the said alward, rule, & iudgement being
duely warned by the sherrife or under sherrife of the county or counties
where such weares, fishgarths &c. & other annoyances, disturbances,
or impediments aforesaid shalbe founde, made, leuied, streightened, or
enlarged, by Scire facias being directed to y^e said sherrife or under sherrife,
do not w^{thin} three moneths next after y^e said garnishment made,
at their owne costs & charges duely & fully amend, breake downe, &
auoid the said making, leuying, enhauysing, streightning, or enlarg-
ing, being defectiue, as in the foresaid statute is specified: The he or
they which shal in this case offend, shal forf. to y^e M. for every default
C. Markes, by transcript to be deliuered into the Eschequer, in man-
ner & forme, as in the said statute is contained. And if the offendor his
heire, heires, assignee, or assignees, or any of the do deferre or conti-
nue the same defaults, contrary to the foresaid alward, rule, & iudge-
ment of y^e Commissioners aforesaid, he or they so differing or conty-
nuing the same default, shal forf. for every moneth after y^e said ius-
moneths ended, y^e y^e same default shal remaine & be not corrected, a-
mended, nor reformed C. Markes to the M. & any of her subiects that
will sue by A. of debt, wherein no W. C. P. 12. Ed. 4. 7.

¶ Any person other then such against whom such alward,
rule, or iudgement was made and had, not being heire or assignee to
them, or any of them, will presume to occupie or continue any such
weares, fishgarths, mills, milldames, millstanks, lockes, hedding,
weares, stakes, huddels, heches, fudgats, or other disturbances, or im-
pediments, as is aforesaid, he or they which do presume to occupy or
continue, shal forf. for every default for every moneth, as is aforesaid
said C. Markes to the M. & any of her subiects that will sue by A. of
debt, wherein no W. C. P. 12. Ed. 4. 7.

An office made
or comuted by
a stranger con-
trarie to the
Commissioners
award.

¶ White Ashes.
N^o person shall shippe, lade, carrie, or conuey any white Ashes
towarde the parties beyond the Seas, upon payne of forf. say-
fine of vi. s. viii. d. for every bushell of such Ashes so to bee shipped
or laden to be carped or conueyed into the parties beyond the seas, to
the Queene & Informer, to be recovered by Action, Information
or otherwise in no W. C. P. 12. Ed. 6. 26.

White Ashes
shall not be
transported.

¶ Wildfoule.
From the first day of March unto the last day of June perely, no

person shal willingly withowt w. perloine, take, destroy, or conuey
any eggs of any kind of wildfoule frō any nest, or place where they
shalbe lated by any kind of the same wildfoule, upon payne of forf. say-
fine of one pere. & to forf. to the M. & J. et. for every default of
any Crane or Bustard, so destroyed or taken from any nest or place
fr. d.

Taking of dis-
troying & eggs
of wildfoule.

Willes & Testaments.

xx. 3. and for every egge of every Bitter, Heron, or Shonelard bit. d. and for every egge of every Gallarde, Teale, or other wildfoule i. d. wherein no W. C. D. &c. This act shall not bee hurtfull to any person that will destroy any Crows, Choughes, Ravens, & Bulfardes, or their egges, or to any other foule or their egges, not comestible or bled to be eaten. 25. H. 8. 1. 3. Ed. 6. 7.

¶ Willes & Testaments.

20. Julij, Anno
1540.

Lands holden
in socage, & nō
in chiefe, or by
knights service

Lands holdē of
the Queene in
Socage in chiefe
& none holdē by
knights service.

The Queenes
primer seison &
fines for alie-
nations laued.

Lands holdē of
the Queene in
chiefe by kni-
ghts service.

Every person having any manors, lands, tenements, or hereditaments, holden in Socage, or of the nature of socage, & not having any lāds &c. holden of the R. by knights service, or by socage tenure in chiefe, or of the nature of socage tenure in chiefe, nor of any other person by knights service, have free libertie & power, to give, dispose, will, & devise, aswel by his last wil & testament in writing, or otherwise by any act or acts lawfully executed in his life, al his said lands &c. or any of the at his pleasure, any law &c. notwithstanding. 32. H. 8. 1.

2 ¶ Every person having manors, lands, tenements, or hereditaments holdē of h. R. her heires or successors in socage, or of h. nature of socage tenure in chiefe, & having any other lāds &c. holden of any other person in socage, or of h. nature of socage tenure, & not having any lāds &c. holden of h. R. nor of any other person by knights service, have full power, to give, will, dispose, & devise, aswel by his last wil or testamēt in writing or otherwise, by any act or acts lawfully executed in his life, al his said lāds, tenements, & hereditaments, or any of them at his free wil & pleasure; Saving to h. R. &c. al her right, title, & interest of primer seison & reitefe, & also al other rights & duties for tenure in socage, or of h. nature of socage tenure in chiefe, as heretofore hath ben used, h. same lāds &c. to be freed out of & frō her hands by h. person or persons to whom any such lands &c. shall be disposed, willed, or devised, in such & like maner & forme, as hath bē used by any heire before h. making of this stat. And saving also fines for alienations of such lāds &c. holdē of h. R. in socage, or of h. nature of socage tenure in chiefe, wherof there shalbe any alteration of freehold or inheritance made by wil or otherwise, as is aforesaid. 32. H. 8. 1.

3 ¶ Every person having any manors, lands, tenements, or hereditaments of estate of inheritance, holden of the Queene in chiefe by knights service, or of the nature of knights service in chiefe, hath full power by his last wil by writing, or otherwise, by any act or acts lawfully executed in his life, to give, dispose, will, or assigne in parts of the same landes &c. in three parts to be divided, or els as much of the said lands &c. as shal amount to the cleere perely value of ii. parts of h. sē in iii. parts to be divided in certainty, & by special demissions, as it may bec knownen in severallie, to and for the advancement of his

his wife, preferment of his children, & payment of his debts, or otherwise at his pleasure: Saving to η the custody, wardship, and primer seison of any of them, as the case shall require, of asmuch of η same lands &c. as shall amount to η full & cleere yerely value of η iii. part therof, without any diminution, dolwer, fraude, coume, charge, or abridgemēt of any of η same thirde part, or of η full profits therof. Saving also to the Quēne &c. al fines for alienations of al such lāds &c. holden of the Quēne by knights service in chiefe, whereof there shall be any alteration of freehold or inheritance, made by will or otherwise, as is abovesaid. 32. H. 8. 1.

Wardship, primer seison, and fines for alienations saved to the Quēne.

4. ¶ Every person having manors, lands, tenements, or hereditaments of estate of inheritance holden of the Quēne in chiefe by knights service, & having other lands &c. holden of the Quēne, or of any other person or persons by knightes service, or other wise, have full power to give, dispose, wil, or assigne by his last will in writing or other wise, by any act or acts lawfully executed in his life, ii. parts of η same lands &c. in three parts to be divided, or els asmuch of the same lands &c. as shall extend to the yerely value of two parts of the same in three parts to be divided in certaintie, & by speciall devisiōs, as it may bee knownen in severalltie, to & for the advancement of his wife, preferment of his children, & payment of his debts, or otherwise at his pleasure. Saving to the Quēne the custodie, wardship, & primer seison, or any of them, as η case shall require of asmuch of η same lāds &c. as shall amount to η full & cleere yerely value of η thirde part therof, without any diminutiō, dolwer, fraud, couin, charge, or subtraction of η sae thirde part, or of η full profits therof, & reserving to η all fines for alienations for any such landes &c. holden of her by knights service in chiefe, whereof there shall be any alteration of freehold or inheritance, made by will or other wise, as is abovesaid. 32. H. 8. 1.

Lands holdē in chiefe, & other lands holdē by knightz service.

Wardship, primer seison, and fines for alienations saved to the Quēne.

5. ¶ If any person hold any manors, lands, tenements, or hereditaments, only of any other person then of the Quēne by knights service & other landes &c. in Socage, or of the nature of Socage tenure, then hee may give, dispose, or assure by his last will, or otherwise by any act or acts lawfully executed in his life, ii. partes of the said lands &c. holden by knights service, or of asmuch therof, as shall amount to the full yerely value of two parts, and also all the landes &c. holden by Socage, or of the nature of Socage tenure at his pleasure. Saving to the Lord of the landes &c. holden by knightes service, for his custodie and wardship, asmuch of the same landes &c. as shall amount to the full and cleere yerely value of the thirde parte of the same landes &c. holden by knightes service, without any diminution, dolwer, fraude, couyne, charge, or subtraction of any portion of the thirde part, or of the cleere yerely value thereof, in maner and

Certaine landes holden only of comon persons by knightes service, & other in Socage.

The Lordes wardship of the thirde part saved

Willes & Testaments.

and forme aforesaid. 32. H. 8. I.

Certaine lands
holden of th
Queene, & cer
taine of others
by knights ser
vice, and other
lands holden of
others in socage

6 ¶ If any person hold any manors, lands, tenements, or hereditaments, only of the Queene by knights service, & not in chiefe, or hold any lands &c. of our said Soueraigne Lady by knights service & not in chiefe, & also holde other lands &c. of any other person or persons by knights service, & also hold other lands of any other in socage, or of the nature of socage tenure, then every such person shall & may graue, dispose, demise, & assure by his last wil, or other wise, by any act or acts lawfully done or executed in his life, two partes of the same lands &c. holden of the Queene by knights service, & two parts of the same lands &c. holden of any other person or persons by knights service, or as much of either of the, as shall amount to the full perely value of ii. partes, & also all his lands & tenements so holden in socage, or of the nature of socage tenure, at his pleasure. Saving to the Queene the custody and wardship, of as much of the same lands &c. as shall amount to the clere perely value of the thirde part of the said lands &c. so holden of her by knights service, without any diminution, dowry, fraude, couine, charge, or subtraction of any portion of that iii. part, or of the full profits thereof. And also saving to the Lords of whome any of the said landes &c. be holden by knights service, for custodie and wardship, as much of the same lands &c. holden of them or any of them by knight service, as shall amount to the clere perely value of the thirde part of the same, without any diminution, charge, couine, or subtraction of any portion of that thirde part, or of the clere perely value of the thirde part thereof, in maner and forme aforesaid. 32. H. 8. I.

The Queene &
other Lordes
in part saved.

The Queene or
other Lord may
take so much
as will make
by their full
thirde part.

7 ¶ If that thirde part of the lands &c. which in any of the cases abovesaid, shall come to the Queene her heires &c. by vertue of this act, be not, or do not amount to the clere perely value of the full thirde part of the said lands &c. wherof the Queene shall be intituled to have the custodie or primer seison, as is abovesaid: Then our said Soueraigne Lady and her heires, shall and may at her or their free liberty take into her or their possession, as much of the other ii. partes of the said landes &c. as with that of the same landes &c. remaining in her handes, shall make up the clere perely value of the full thirde part of the sayde lands &c. so to be had to the Queene in title of wardshippes and primer seison or any of them as the case shall require. And like benefit shall be given to every Lord, of whom any such lands &c. shall be holden by knights service, concerning onely his thirde part, of or for title of wardship. 32. H. 8. I.

Saving of livery

8 ¶ Every person or persons shall sue their liveries for possessions, reuerfions, & remainders, and also pay relieves, & heriots after such maner and forme, as they shoulde or ought to have done before the

the making of this act. And fines for alienations shalbe paid in the Duchies Chauncery, for & vpon writs of Centre in the Post to be obtained in the same court for common recoueries to be had or suffered of any lands &c. holden of the D. in chief, in like maner & forme as is vsed vpon alienations of such landes &c. so holden in chief by fine or seffement. But in such cases where fines for alienations shal be paid in the Chauncery for writs of Centre in the Post as is aforesaid, then none other fine shalbe paid in the same Court for any such writs. 32. H. 8. 1.

Fynes for alienations vpon common reco- ueries.

9 ¶ Saving to all and every woman and women, all and eue- rie such right, title, & interest of dower, as they or any of the ought or shall be wistly intituled to haue, claime, or demaunde of any ma- noys, lands, tenements, or hereditaments, by the lawes of this re- alme, to be assigned to them or any of them out of the two parts of the said landes &c. seuered from the third part, as is abovesaid, & not otherwise. And saving also to y^e D. her heirs & successors, the reuer- sions of al such tenatz in dower & iointure, immediatly after y^e death of such tenants, if they shall happen to die during y^e minoritye of the Duchies warde. 32. H. 8. 1. For the case of iointure. S. Wards. 25.

The womens title of dower in the ii. parts saved.

The reversion saved to the D. after tenant in dowers death.

10 ¶ Where it is contained in the same statut of 32. H. 8. within diuers branches of the same, y^e al & singuler persō or persons, hauing any manors, lands, tenements, or hereditaments of estate of inhe- ritage, shoulde haue free libertie, to giue, will, dispose, or assigne, as wel by his last wil & testament in writing, or otherwise, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them, in such maner, as in the same act it doth appeare, which words of estate of inheritance by the autho- ritie of this Parliament, are & shall be expounded, taken, & iudged of estates in fee simple onely. 34. H. 8. 5.

The exposition of the toresaid Sta. of 32. H. 8.

The Stat. exten- derth only to fee simple landes.

11 ¶ Al & singuler person and persons, hauing a sole estate or in- terest in fee simple, or seised in fee simple in coparcenary, or in com- mon in fee simple, of & in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion, or remainder, or of réts or seruices, incident to any reuersiō, or remainder, & hauing no ma- noys, lands, tenements, or hereditaments holden of the D. &c. or of a- ny other person or persons by knights service, shal haue free libertie and power, to giue, will, dispose, or deuise to any person or persons (except bodies politike & corporate) by his last will and testament in writing, or otherwise, by any act or actes lawfully executed in his life, by him selfe solely, or by him selfe & other iointly, seuerally, or particularly, or by all those wayes or any of them, as much as in him of right is or shall bee, all his sayde landes &c. or any of them, or any rentes, commons, or other commodities, out of, or to bee perceiued

Sole tenant, te- nant in comon & coparcenary in fee of landes in possession, re- uersion, remain- der.

Deuising of rée or common out of land.

Willes & Testaments.

perceiued of the same, or out of any parcel thereof at his owne pleasure. 34. H. 8. 5.

Certaine lands holden of the Q. by knights seruice in capite & other of other persons.

12 ¶ Every person hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reuerſion, or remainder, or of and in any rentes or seruices, incident to any reuerſion, or remainder, holde of the Quene by knights seruice in chief, or of the nature of knights seruice in chief, shall haue full power & authoritie to giue, dispose, will, or assigne to any person or persons (except bodies politike & corporat) by his last wil & testamēt in writing, or other wise, by any act or acts lawfully executed in his life, by him selfe solely, or by him selfe & other ioyntly, seuerally, or particularly, or by all those waies or any of them, as much as in him of right is or shalbe, in parts aswel of the said lands &c. as of al & singuler his other rents & hereditamentes, or of any of them, or any rents, commons, or other comodities out of, or to be perceiued of y^e same in parts, or out of any parcell thereof in iii. parts to be deuided, or asmuch thereof as shal amount to the ful & clere perylly value of ii. parts thereof in iii. parts to be deuided, of what person or persons soeuer they be holden at his pleasure. And the sayd wil so declared shalbe good & effectnall for ii. partes of the sayd lands &c. although the wil be made of the whole, or of more then of two partes of the same: The same deuision to be made & set forth by the deuſor or owner of y^e same lāds &c. by his last wil in writing, or other wise in writing, & in default thereof by a Commission to be graunted out of the Quenes Court of wardes & liveryes, vpon the inquirie of the true value therof, by the othes of xii. men, & returne or certificat there of had in the same court of the said lands &c. deuſion to be made by the Maſter of the Wardes & liveryes, & if the said maſter & the deputies thereunto cannot other wise agree vpon y^e same deuſion. And y^e issues & profits of the ii. parts of y^e same lāds &c. vpon euery such deuſion to be reſtored to thē y^e shall haue right or title to the same, fro the death of the owner or deuſor thereof. 34. H. 8. 5.

A will good for ii parts though it be made for the whole.

Deuſion of the lāds where the Q. is intitled to a third part.

Certaine lands holden of the Q. or others by knights seruice and certayne in Socage.

13 ¶ Every person hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of & in any manors, lands, tenements, rents, or other hereditaments, in possession, reuerſion, or remainder, or of & in any rents or seruices incident to any reuerſion or remainder, holden of the Quene &c. by knights seruice & not in chief, or holden of any other person or persons by knights seruice, shall haue full power to giue dispose, will, or deuſe, to any person or persons, (except bodies politike & corporat) by his last wil & testamēt in writing, or other wise by any act or acts lawfully executed in his life by him selfe solely, or by him selfe and other

other jointly, ſenerally, or particularly, or by all thoſe waies or any of the, aſmuch as in him of right is or ſhalbe it. partes of all the ſayd lands &c. or any of them ſo holden by knights ſervice, or any rentes comon or other profits out of, or to bee perceiued of y^e ſame ii. partes or out of any parcel thereof, in iii. partes to bee deuided, or as much thereof as ſhal amount to y^e full & clere verely value of it. partes there of in iii. parts to be deuided at his pleaſure. And the ſaid wil ſo declared ſhalbe good for two parts of the ſayd lands &c. although the ſame be made of y^e whole lands &c. ſo holden by knights ſervice, or of more the of two parts of the ſame, & alſo for y^e whole of al other ſuch lādes &c. or any of them, not holden of y^e Q. by knights ſervice in chiefe, or otherwiſe by knightes ſervice, nor of any other perſon by knightes ſervice, & of any rents, commons, or other commodities out of, or to be perceiued of the ſame, or out of any parcel thereof at his free will: The ſame diuiſion to be made & ſet forth by the owner of the ſayd landes &c. by his laſt wil in wyting, or other wiſe in wyting, & in default thereof, ſo aſmuch of the ſame landes &c. as ſhall concerne the Q. intereſt, by commiſſion to bee directed out of the Quēnes court of wardes & liveries if the maſter of the Wardes &c. and the parties thereunto cannot otherwiſe agree vpon the ſame deuſion. And reſtitutiō of y^e iſſues & profits of y^e two partz thereof ſhalbe made in manner & ſourme abouelaiſd. And ſo for ſuch of the ſame landes &c. as ſhall concerne the intereſt of any other Lord or Lords by Commiſſiō to be graunted out of the Chauncery, to enquire thereof by the othes of xii. men, if y^e ſame lord or lords, & y^e parties thereunto cannot otherwiſe agree vpon the ſame diuiſion. 34. H. 8. 5.

A will made of the whole ſhal be good for two partes.

14 ¶ The ſauings, reſeruings, & prouiſion concerning ſauynge of y^e cuſtodie, wardſhip, reſſeſe, and primer ſeyſin to the Quēne of ſuch landes &c. or aſmuch thereof as ſhal appertaine vnto her by vertue of theſe two actes, during the Quēnes intereſt therein: And alſo of the cuſtodie and wardſhippe to other Lordes of aſmuch of ſuch landes &c. holden of them as ſhall amount to the cleare verely value of the third part thereof aboue all charges, without any diminution &c. comprized in diuers articles in the ſaid former act of 32. H. 8. cōtayned, bee and ſhalbee expounded, and taken as hereafter enſueth, by. The Quēne ſhall haue and take for their full thirde parte of all ſuch landes &c. whereunto ſhe is or ſhalbee intituled by the ſaid former act, and by this act, ſuch landes &c. as ſhall by any meanes diſſcend, or come by diſcent, aſwell of eſtate of inheritance, in fee taylor, as in fee ſimple, or in fee taile onely, to the heire of any ſuch perſon that ſhall make any will, gift, diſpoſition, or deuſe by his laſt wil in wyting or by any act or actes lawfully executed in his life, immediately after the death of the ſame deuſor or owner thereof. And the

An expoſitiō of the ſauings, reſeruings, & prouiſions made in theſe ii. actes.

Waights & Measures.

oz cause to be made, to remaine to the, comō measures & waights, according to y^e same waights & measures, & y^e the same measures & waights should be viewed, examined, printed, signed, & marked by y^e head officer, in whose possession y^e said standers should remaine.

The names of
the townes li-
mited for y^e ke-
ping of waights
& measures.

Westmerl.	Towne of Appelby	Surrey	Towne of Gilt.
Northumb.	T. of Newcastle	Sussex	T. of Lewes
Cumberl.	Citie of Carleol	Dron.	C. of Oxford
Lanc.	T. of Lancaster	Berk.	T. of Reding
Essex.	Citie of Wyke	Hertford	T. of Hertford
Lincoln.	Citie of Lincolne	Salop.	T. of Shrewsb.
Derb.	T. of Derby	Staff.	T. of Stafford
Notingham.	T. of Nottingham	Glouc.	C. of Gloucester
Lecest.	T. of Leicester	Wilt.	C. of Worcester
War.	C. of Countie	Wilt.	C. of newe Sa-
Notyl.	T. of Appingham		isbury.
North.	T. of Northampton	South.	C. of Winchester.
Bed.	T. of Bedford	Som.	T. of Alchester
Buck.	T. of Buckingham	Dor.	T. of Dorchester.
Canterb.	T. of Cambridge	Devon.	C. of Exeter
Hunt.	T. of Huntingdon	Cornub.	T. of Lestuthiel
Notf.	C. of Norwich	London	C. of London
Suff.	T. of S. Edmundes	Bristolwe	C. of Bristolwe
	bury	Quinz pozt.	Castel of Deuer
Essex.	T. of Chelmefford	Countrey	C. of Countrey
Hertf.	T. of Hertford	South.	T. of South-
Midd.	C. of Westminster		hampton.
Kent.	T. of Maidstone	Chester.	C. of Chester.

Head officers
may signe
waights & mea-
sures to every
man that will.

8 ¶ Every head Officer having the said waights and measures signed and printed vnder the signe and print for the same, hath authoritie to make, signe, and print, like waights and measures vnto every y^e Duenes subiects duely requiring y^e same, taking for marking oz sealing of every bushel i. d. of every other measure ob. of every C. waight i. d. of every halfe C. ob. & of every waight vnder, qz. & not above, vpon paine to forfe. for every time y^e he refuseth oz doth y^e contrary th. s. to the Duene & J. that wil sue by A. of debt, wherein no W. r. i. i. h. 7. 4. 12. h. 7. 5.

None shal buy
oz sel but with
waights & mea-
sures signed
and printed.

9 ¶ No merchant, oz other person within any citie, oz market towne, shall buy oz sel to any waight oz measure, except it bee marked, signed, oz printed in forme aforesaid, nor any other person out of the said cities, boroughs & market townes, except it be like & equall with the said stander. And every person aswell without cities, boroughs, & market townes as within, shall buy & sell with a bushell sealed, signed, oz marked after y^e forme aforesaid, & none other wise.

But

But this act shall not extend to any person selling or buying by wa-
ter measure wⁱⁿ y^e ship bozd, but y^e same shall only containe v. pecks
after the said stander raled & striken, neither shall this act extend to
any waights appertaining to the cumage of tinne wⁱⁿ the counties
of Cornewall & Denonshire, but al such waights shall be vled & cor-
rected as hath bene vled. 11. H. 7. 4. 12. H. 7. 5.

Water measure

Waights for
cunage of
tinne.

Drawing & exa-
mining waights
& measures.

10 ¶ Al the Maiors, Bailifes, and other head officers of every
citie, borough, or market towne, shall cause twice in the yere or ofte-
ner, as they shall thinke necessary, al waights & measures wⁱⁿ y^e said
cities &c. to be brought befoze the, & to be duely viewed & examined, &
such as they shall find defectiue immediatly to be broken & burnt, &
y^e offendor shall forf. for the first time vi. s. viii. d. to the saide Maior,
bailife, or any other hauing iurisdiction & correction in y^e behalfe, & at
y^e second time xiii. s. iiii. d. And at y^e thirde time xx. s. and for the fur-
ther punishment, shall be set vpon the pilloze to y^e example of other.
But the examination of defaults abovesaid & punishment to the of-
fendours of every offence committed within any of the five ports shall
be done by y^e Lord warden of the said v. ports, or by his lieutenant &
none other. 7. H. 7. 3. 11. H. 7. 4. 12. H. 7. 5. S. Iustice of peace. 92.

11 ¶ Every citie vpon paine of x. li. every borough vpon paine
of C. s. And every towne where a Constable is vpon paine of xl. s.
to be leued to y^e vse of the M. so ofte as they shall be found defectiue,
shall haue a comon ballace wⁱⁿ waights accordyng to the stander of
the Eschequer. 8. H. 6. 5. But these penalties shall not extēd to any
towne which is no citie, borough, or market towne. 11. H. 7. 4. By
the foresaid stat of 8. H. 6. the Burgeses of the borough of Dorces-
ter shall not be disturbed of their right to vse their weyghing by xii.
miles about the same borough, vying alwaies such comon waights
as be accordyng to the stander of the Eschequer. 9. H. 6. 6.

Every citie, bor-
rough & market
towne shall haue
a comon ballace
& waights.

12 ¶ At the common ballance, & comon waights sealed, of eue-
ry citie, borough, & towne, al y^e inhabitants of y^e same citie, borough
&c. may freely waigh w^{out} any thing paying, taking neuertheles of
forres for every draught wⁱⁿ y^e waight of xl. li. q. & for every draught
betwixt xl. & C. li. ob. & for every draught betwixt C. li. & a M. li. i. d.
at the most, wherof the waights shall be maintained, and the officer
rewarded by the discretion of the chief of the citie, borough &c. accor-
dyng to his attendance. 8. H. 6. 5.

Every one may
weygh at the co-
mon ballance &
waight.

13 ¶ Iustices of peace, Sherifes, eschetors, & other comissioners
assigned by the M. haue power by comission to enquire of all falsifi-
ers & counterfaiers of false waights, & to take & imprison them, &
in prison to hold them w^{out} mainprise, vntil they be acquitted or at-
tainted, and if they be attainted, their bodies shall remaine in prison
vntill they haue made fine and ranome accordyng to the Iustices

Counterfaiers
of waights.

at his proper costes with anye Cozne, then every such Incumbent may make his Testament of all profits of the Cozne growing by upon the same glebe landes so manured & sowed. 28. H. 8. 11. S. Ecclesiasticall. 30.

I ¶ For the prouing of vviles, committing of Administration, the ordinary and his ministers fees, and dueties therfore. S. Probate of testaments.

I Fraudulent willes to defeat the lorde of vwardshyp or other aduantages. S. Wardes. 24.

¶ Wines.

Prices of wines
shalbe assessed
by the chiefe
magistrates.

The Lord Chauncelour, Lord Treasourer, Lord President of the Duchies counsel, Lord Iustice Seale, & the two chiefe Justices of eyther Bench, or fine, sower, or thre of them haue authorite by their discretions to set p prices of al kind of wines, viz. of p prices of p But, Tunne, pipe, hogshed, poncheon, terce, barrell or rundlet, whē it shalbe solde in grosse, so that they or any of them cause the prices by them set to be witten, and open Proclamation thereof to be made in the Chauncery openly in the terme time, or els in the city, borough, or to wne where any such wines shalbe solde in grosse. 28. H. 8. 14. And by the stat of 37. H. 8. 23. the said persons shal yerely set the prices of al kind of wine, mencioned in the foresaid acte, betwene the xx. day of November, & the last of December, and at no other time. S. 5. Ed. 6. 17. & the said stat of 37. H. 8. 4. Quere if thys last part of the braunch remaine in force.

Quere.

The sort. of the
which sel wines
in grosse contra-
ry to the prices
assessed.

2 ¶ If any person after such prices be set and put in wittinge by the said Lords or by v. iiii. or iii. of them, and proclamation thereof had (as is aforesaid) do sel any wines in grosse, by any couin, contrarie to the said prices so set & proclaimed, then he shal forfeit for every vessel by him sold in grosse contrary to the saide prices. xl. s. the one halfe to the M. & the other halfe thereof (if it be in any citie, borough, or to wne corporate) to be to the Mayors, Sherifes, Bayliffes or other head rulers thereof, and if it be without citie &c. then to be to the M. & J. &c. to be recovered by A. J. &c. wherein no W. C. P. &c. 28. H. 8. 14.

Denying to sell
wines at the
prices assessed.

3 ¶ Every merchant and other person whēh shall haue wyne to be sold, and refusing to sel or deliuer, or not selling any of p same wines for ready money therfore to be payed according to the price thereof the being set, shall forfeit the value of the wine so required to be bought, to the M. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 24. H. 8. 6.

where Justices
of peace or o-
ther officers
may sel other
mores wines.

4 ¶ It shalbe lawful to al and singular Justices of peace, Mayors & other head officers, in shires, citie, boroughs, and to wnes, and in other places of this realme wthin the precincts of their offices, at the request

request of any of y^e Quēnes subjects to whom any denser of sale, or from whom any restraint of sale of any such wines shalbe made, & ful payment thereof without delay offered to be made according to the prices then set by the foresaid lords and Justices &c. to enter into the houses, sellers, and other places where such wynges shall lye, and to sel and deliuer the same desired to be bought, to the person requiring to buy the same, taking of the buyer thereof to the vse of satisfaction of the foresaith aforesaid, after the rate of the prices thereof set, as is aforesaid. 24. H. 8. 6. S. 37. H. 8. 23. somewhat y^e like matter, and Quere if it remaine in force. 5. Ed. 6. 17.

5 ¶ If at the time of any such sale of wine purposed to be made, the merchaut vintner, or other owner thereof, do truly shewe to the said Justice or head officer purswinge to make the said sale, what and how much wine he then shal haue, and depose vppon his bodelis othe, to be made and geuen by the discretion of the same Justice or head officer, that hee keepeth the same wynges, to the intent onely to drinke and expende the same in his house by retayle, or other wise, and not to sel any of them in grosse: Then the same merchāt, or owner shall kepe the same wines without any sale, and without any foresaith for refusall or restraint of sale thereof. And in case y^e after such othe the same owner do sell the same wynges, or any of them in grosse, v^y. by the Tunne, Butt, Tercer, pipe, hogshed, barrel or rundlet, he shall forf. the double value of all such wines so sold in grosse, to the D. and J. to be rec. by A. J. &c. wherein no W. C. H. 8. 24. H. 8. 6.

He that keepeth wine to spend in his house, or to retayle, shal not be forced to sell it.

6 ¶ No person inhabiting within any of the Quēnes dominions of Englande or Wales, shal offer by retayle by small measure, v^y. by gallon, or any other measure of greater or lesse quantitie, any Gascoine, Cypion, or French wines but after the rate of viii. d. the gallon, nor any Rochel wines at greater prices then after the rate of iiii. d. the gallō, nor any other wine at greater price then after the rate of xii. d. the gallon at the most, vpon payne that euery persō doing the cōtrary, shal forf. for euery such offence v. li. to y^e D. & J. to be rec. by A. J. &c. wherein no W. C. H. 8. 7. Ed. 6. 5. But al and euery person & persons which be, or shalbe by y^e lawes & statutes of this realme, or other wise authozised to sell wines by retayle, in the seuerall countiees & places where they be, or shalbe so authozised, shal and may sell the said wines by pinte, quart, pottel, gallō, or other wise, at such price or prices & in such forme as shalbe limited by y^e Quēnes proclamation in that countie or place, made wth the assent of such lords & other persons as by the foresaid stat of 28. H. 8. where authozised to set price vpon wines in grosse, wthout any paine of forf. for y^e same, any law &c. notwithstanding. 5. El. 5.

The prices of wines by small measure.

Prices of wines assessed by the Quēnes proclamation

VVines.

Whomay kepe
bottles of wine
in their houses
to spend.

7. ¶ It shal not be lawfull to any person, wthin any of þe Quenes dominions aforesaid, except he shal and may dispend in lands or other verely profits certayne, the sume of C. marks, or els be worth of his owne proper goods, & castels M. marks, or shalbe þe sone of a Duke, Marques, Earle, vicont, or Baron of this Realme, to haue or kepe in his house or custode any vessel of any of þe said wines of Gascoyn, Guyon, French or Rochel wines, containing aboue r. gallons, to þe intent to spend the same in his house, by ny colour or meanes, vpon paine to forf. for every such offence r. li. to þe M. & J. to be rec. by A. J. &c. wherein no M. C. D. &c. 7. Ed. 6. 5.

None shal ce:
taile wines but
in market
townes &c.

8. ¶ It shal not be lawfull to any person wthin any of the sayde dominions to kepe any Tauerne, or to sel or vtter by retayle by the gallon, or lesse or greater measure, in any place, any of the sayd wine wthin any of the said dominions, except it be in cities, towncs corporat, boroughs, port towncs or market towncs, or in þe towncs of Grauesend, Sittingborne, Warforde, & Baggeshot, vppon payne that every person that shal so offende, shal forfayt for every day so offending r. li. to the M. & J. to be recovered by A. J. &c. wherein no M. C. D. &c. 7. Ed. 6. 5.

Wintners in
corporat towne
assigned by the
officers.

9. ¶ It shal not bee lawfull to any person or persons to kepe a nile Tauerne, or sel or vtter by retayle by the gallon, or lesse, or greater measure, in any citie, borough or towne corporat, any manner of wyne, but onely such person and persones as shalbe thereunto nominated & assigned by the head officers and the most part of the common counceyl, Aldermen, Burgeses, Jurats, or cominaltie of such citie, borough &c. where such person or persons shal Tauerne, sell, or vtter wine by retayle, as is aforesaid, the sayed nomination & assignement to be made by writting vnder the common seale of such city, borough &c. & shal continue in their force, or be chaunged, at the election & pleasure of the head officer or officers, and the most part of the comon counsaile, Aldermen, Burgeses, Jurats, or cominaltye for þe time being of such city & borough &c. by writtinge, & vnder such comon seale, as is aforesaid. For it shalbe lawfull to any person or persons to kepe any tauerne, or to sel or vtter any wine by retayle as is forsaide, in any citie, borough, port towne, or market towne not corporat wthin Englad or Wales, or in þe said towncs of Grauesend, Sittingburne, or Baggeshot, but onely such persō or persos as thereunto shalbe nominated & appointed, by all or þe most part of þe Justices of peace of such county where such tauerne or selling of wyne by retayle shalbe allowed as shalbe present at the general sessions for þe time being, holden wthin every of the said countie, the said appointment to be had and made in full session, by writtinge vnder the seuerall seale of every of the said Justices, and to be continued, altered, or changed

Wintners in
townes not cor:
porat assigned
by Justices of
peace.

changed in like forme & by like authoritie, as is last aforesaid, vpon paine & every person & that sel or retails any wine being not thereunto licenced, & authorized as is aforesaid, that for every day & he shal so offend v. li. to the D. & J. to be rec. by A. J. wherein no W. C. D. ec. 7. Ed. 6. 5.

10 ¶ No person or persons having authoritie by this act to nominate or assigne what persones shall taverne, better, or sell wine by retale, as is aforesayd, shall appoynt by his or their writinge anye greater number of taverne or wynesellers, then two by retayle to sell or utter wine, or keepe or continue any taverne at one tyme in any one Citie, Borough, Towne corporat, port towne, or market totowne, or in Grauelend, Sittingborne, or Bagshot (all & every such citie & towne hereafter expressely named onely except,) And it shall not be lawfull to appoint by writinge in the Citie of London to sell or utter wine by retale, at any time, above the number of xl. Taverners or wynesellers, and in Dorchester. iij. in Westminster. iij. in Bristow. vi. in Lincoln. iij. in Kingstons upon Hull iij. in Shrewsbury iij. in Worcester iij. in Salisbury iij. in Gloucester iij. in Westchester iij. in Hereford east iij. in Worcester three, in Southampton iij. in Canterbury iij. in Ipswich iij. in Winchester iij. in Oxford iij. in Cambridge iij. in Colchester iij. in Newcastle vpon Tyne iij. taverners or wynesellers, vpon paine & every person authorized by this act to assigne taverners or wynesellers to for. for every nomination, or appointment by him made contrarye to the forme of this act v. li. to the D. & J. to be recovered by A. J. ec. wherein no W. C. D. ec. 7. Ed. 6. 5.

How many taverners may be appointed in every city or towne.

11 ¶ No person shall sell or utter by retale any kind of wine to be drunk or spent in his mansion house, or other place in his tenure or occupation by any colour, craft, or meane, vpon payne to forsayt for every such offence x. li. to the D. & J. ec. to be rec. by A. J. ec. wherein no W. C. D. ec. 7. Ed. 6. 5.

No man shall retale wine to be spent in his house.

12 ¶ But it shalbe lawfull to every Merchant aduentring for & same at his owne costs, to keepe to spend in his own house such wine or wines, as he shal transport or cause to be transported into this realm, or any part thereof not taking any money or other recompence for & same, & shalbe so spent in his house, & it shalbe lawfull to euerie high shirife of every county, Maior, bailife, & shirife of every citie, & towne corporat during his or their office of charge, & to euerie other person dwelling in any of the Duchies, fortes, or townes fortified, & kept for & warres during his dwelling in any such fort or towne of warre, to have wine in his house by the bestell, to spend the same in his house, wout taking any money or other recompence for & same so spent in his house or other place in his occupation. 7. Ed. 6. 5.

These may kepe & spend wine in their houses.

VVines.

Wtchm what
time the foal
shalbe taken.

13 ¶ This act shall not extende to charge any person with any penaltie or sozfacture concerning any offence to bee done contrary to the tenour thereof, vnlesse the offender be sued, indicted, or presented for the same, within one yeare next after the same offence committed. 7. Ed. 6. 5.

The liberties
of Cambridge &
Oxford refer-
ued.

14 ¶ This act shall not be prejudiciall to any of the Vniuersities of Oxford and Cambridge, or to the Chauncellour or schollers of the same, or their successors or any of the, to impair or take away any of the priuiledges, franchises, or authorities to them, or any of them belonging, but they and euery of them, & their successors, may haue, vse, & enioy al their priuiledges, franchises &c. so that there bee not any greater number of Hauernes kept wthin any of y^e said tolnes of Oxford or Cambridge, then may be lawfully kept by the prouiso of this stat. 7. Ed. 6. 5.

Wynes shalbe
assayed, & the
corrupt poured
out.

15 ¶ Assay shalbe made of wynes twice euery yeare, once at Easter, and an other time at Michelmass, & more often if neede bee, by the Lords of the tolnes & their bailifes, and also by the Mayo^r & bailifes of the same tolnes, & al wynes that shalbe founde corrupt, shalbe powdered out, & the vessels broken, & the Chauncello^r & Treasor^r, Justices of the one Bench & the other, and Justices of assise, haue power to enquire of the Mayo^rs & ministers of tolnes, if they do not according to this statut, & besides that to punish them, as reason shal require. 4. Ed. 3. 12.

The contents
of eche vessel
of wine.

16 ¶ No merchant, nor other person, shal bring or cause to bee brought into this Realme, any Butt of Malmesey to be solde, vnlesse it do containe in measure at the least 126. Gallons. Nor noe manner of vessels, with any maner of wynes whose soeuer they be, or of what Countrey soeuer they bee, nor no manner of vesselles of oyle, vnlesse the same vesselles of wine or oyle do containe the measure and assise following, viz. euery Tunne to containe 252. gallons, euery Hype 126. gallons, euery Tertian, or Punction 84. gallons, and euery Hoggeshead 63. gallons, and euery Tierce 41. gallons, and euery Barrell 31. gallons and demye, and euery Rundlet to containe 16. gallons and di. And the vesselles of wine and oyle brought into this realme to be solde, shal not be put to sale vntill they bee well and truly gauged by the Quenes Gaugeour, or his sufficient deputie, vppon payne to sozfact to the Quene all the sayed wynes and oyle solde contrary to this ordinaunce, or the value of the same. 18. H. 6. 17. 1. R. 3. 13. 28. H. 8. 14. Euery Tunne, Hype, Tertian, and other vessel aforesaide, of honte, shal containe the quantitie aforesayde, and bee gauged, in manner and fourme aboue expessed, vppon the paine aboue limited. And euery Gaugeour shal haue for hys labour for the gauging of euery Tunne

All vesselles of
wine & oyle shal
be gauged.

The contents of
a vessel of hony.

Tunne & pype of oyle and honny, as hee taketh for every tunne and pype of wyne, and for every Tercian & Hoggehead after the rate. 18. li. 6. s. 17. S. Honny. 1. This All. somewhat altered.

17 ¶ Every Gaugeour within this realme, shal truly & effectually within the limits of his Office, gauge all the sayde Tunnes, Butts, Pipes, Terces, Puncions, Tercians, Bartels, Hogsheds, and Kunolets, & shal plainly & truly marke vpon the head of every such vessel & content of the same, vpon paine to for. to the party, to whose vse the wine, oyle, or other thing therein being shalbe sold. 4. times the value of that which the vessel so marked shal lacke of hys lawfull content abovesaid: The same forsaithure to be recouered ouer & aboue the costs of the suit, by & the Quenes original writ, or by bill, in any of the Quenes courts of her comon lawes, or in any competent court, hauing iurisdiction in the place where that offence shalbe comitted, by A. or B. of debt, wherin no W. C. D. &c. And every person selling the said wine, oyle, or other thing contained in & sayd vessel marked, shal allow of & p. the price thereof to the buyer of the same for every quantity of wine, oyle, or other thing contained in & sayde marked vessel, & full value of the lacke thereof being by reason of default of full gauge of the vessel marked, or of default of filling of the same vessel after the rate of the whole p. of & wine, oyle, or other thing, so being sold by & vessel marked, vpon paine of for. to & same buyer, the double value of & same vessel & wine, oyle, or other thing therein being so sold, & same for. to be recouered together w. & costes of & suit in forme aforesaid. 28. li. 8. s. 14. 1. li. 3. s. 13. 18. li. 6. s. 17.

The Gaugeour
for. if the vessel
lacke hys con-
tent.

How he shalbe
recompenced,
which lacketh
his measure of
wine or oyle.

1 That Marchants Alyens shall carrie no vvine out of the Realme, but shall sell them here in grosse, and in none other manner. S. Marchants. 1.

2 In vvhat vessels any French vvine may be brought into thys Realme. S. Shippes. 4. 5.

3 VVhat Custome or Subsidie shalbe paid for svvete vvines brought in. S. Custome. 3.

¶ VVitnesse.

[If any person vpon whom any proces out of any of the Courtes of Reco:de, within this realme or Wales, shalbe serued to testify or depose, concerninge anye matter depending in anye of the same Courts, and hauing tendred to him accordinge to his countenauce or callinge, suche reasonable summes of money, for his costes and charges, as (hauing regard to the distance of the place) is necessary to be allowed in that behalfe, do not appeare accordng to the tenor of the said proces, hauing not a lawfull and reasonable let to the contrary: Then the partie making default, shal forsaith for every suche offence

A witnes vpon
proces serued
vpon him, and
his charges te-
dered, shall ap-
peare.

VVoodes.

offence r. 11. & shal peld such further recovery to p party grieved, as by p discretion of the Judge of p court, out of the which the said pces shalbe awarded, according to the losse & hinderance p the party which procured the said proces shal sustaine, by reason of p non appearance of the said witness: the said several summonses to be recovered by the party so grieved, against the effect of by 2. 3. 26. in any of the Quenes courts of Record, wherein no W. C. 13. 21. 5. Cl. 1. 14. Cl. 11. to continue in force, until the end of the next Parliament.

Proces against
the witnesses of
a deede denied.

2 ¶ When a deede, release, acquittance, or other writing is denied in p Quenes court, wherein witnesses be named, proces shalbe awarded to cause such witnesses to appeare, so that if none of them come in at p great distress returned, or if it be returned, p they have nothing, or that they cannot be found, yet the taking of the enquest shal not be deferred by the absence of such witnesses. And if p witnesses do come in at the great distress, & the enquests for some cause remaine vntaken, the witnesses p come in shal have like day given them, as is assigned for the taking of the enquest, at which day, if p witnesses do not appeare, the issues p were first returned upon the shal be forfeited, & the taking of p enquest shal not be deferred because of their absence. And for absence of witnesses dwelling wthin franchises where p Quenes writ original doth not lie, p taking of an enquest shal not be deferred. 12. Ed. 2. 2.

1 For the trial of a deede where the witnesses be of a Countie where the Quenes writt runneth not. S. Triall. 9.

2 In vvhich sort he shalbe punished, vvhich procureth any witness to commit vvilfull periurie, or beeing a witness doth commit vvilfull periurie. S. Periurie. 1. 2.

¶ Woodes.

There shalbe left
standils left in
an acre of wood
at the selling
thereof.

¶ And bypon all and singuler severall woodes, commonlye called Coppies, woods, or vnder woods, which shalbe felled at xiiii. peres growing or vnder, there shalbe left standing & unfelled for every acre of wood p shalbe felled wthin the said coppies xij. standils, or stozers of Oke, & if there be not so many standils of Oke, then there shalbe left so many of other kind, viz. of Elm, Ash, Aspe, or Beech, as shal make by the said number of xij. likely to be timber trees, the same to be of such standils as haue bene left there standing at any selling of the same wood &c. in time past. And in case there be no such stozers there standing which were there left at the last selling of the same woodes: Then the same standils shalbe left at the next selling of the said woods &c. of such most likeliest Okes, & if there be not sufficient of Okes, then of the most likeliest Elmes, Ashes, Aspes, or Beeches, to proue

proue timber trees, as may growe in any such several woods, coppices or underwoods. And the same standills so left shalbe preserved & not felled til every of them shalbe of x. inches square. within iiii. footes of the ground, upon paine & enerte of everie such standills, having a estate of inheritance, or so: terme of life, of frehold, or by copie of Court rol. or for yeres in & ground where y^e said standills shall growe, causing any such woods to be felled, & not leaving the said storrers there standing in so: the aforesaid, to forsake for everie standill so not left standing in & said woods. iiii. s. iiii. d. & upon paine that every owner, as to aforesaid of any such woods &c. causing any of the said standills so left, to bee cut downe contrary to the fourme of this Act, to forsake for every of the said standills which shalbe cut downe, iiii. s. iiii. d. to the Quene & J. to be recovered by A. J. &c. wherein no W. C. P. ec. 35. H. 8. 17. 13. Cl. 2.

How long the standills left, shal remaine bussh led.

2. ¶ All and singular coppies & underwoods which shalbe felled at xiii. yerres growth or under, & not being above the said age, from and after the xx. day of Aprill, next after the felling thereof, during & terme of vi. yerres then next ensuing, shalbe sufficiently inclosed, or thalpringes thereof other wise saved from destruction by any manner of cattel, by him which then shal have lawfull interest & possession in the said woods &c. upon paine of every person so bounden to inclose, or preserve the said woods, to forsake for every roode thereof so not inclosed or preserved during the said vi. yerres iiii. s. iiii. d. for every moneth that the same woods shalbe inclosed, or not so preserved &c. 35. H. 8. 17. 13. Cl. 25.

Woods felled at or under xiii. yerres growth shalbe preserved, vi. yerres.

3. ¶ All and singular coppies or underwoods, which shalbe felled, being above the age of xiii. yerres growth, and not above the age of xliiii. yerres growth, from the xx. day of Aprill, next after the felling thereof, during the terme of viii. yerres next ensuing the same xx. day of Aprill, shalbee sufficiently inclosed, or the springes thereof other wise preserved frō destruction by any manner of cattel, by such which then shal have lawfull interest & possession in the said woods &c. upon paine of every person so bounde to inclose or preserve the said woods, to forsake for every roode so not inclosed or preserved during the said viii. yerres iiii. s. iiii. d. for every moneth that the same woods shalbe inclosed and not preserved, as is aforesayd. 35. H. 8. 17. 13. Cl. 25.

Woods felled above 14 yerres growth & under xliiii. shalbe preserved 8. yerres.

4. ¶ No person shal convert into pasture or tillage, any such coppies or underwoods, containing in quantity ii. acres or above, which now, by (14. die Januarii. Anno Do. 1543. & 35. H. 8.) bee woods or underwoods, and put or referred to the vse or increase of wode, or breeder wode, and being two furlong distant from the house of the owner thereof, or from the house whereunto the said wood doth lie

No woods shal be converted into tillage or pasture.

VVoodes. VV

oz belong, vpon paine to forfeit. for every acre of wood so to be converted from wood into pasture oz tillage xl. s. But this act shal not extend to any coppies, woodes, oz underwoods destroyed oz turned into tillage oz pasture within xx. yerres last past, (before 14. die Januarie, An. Do. 1543.) although y^e more part oz any part thereof be once grownen in bushes oz underwoods. 35. H. 8. 17. 13. Cl. 25.

At the felling of
woode aboute
xiii. yeres
groweth, there
shalbe xii. trees
left in an acre.

5 ¶ Every person, body politike and corporat, having any severall woodes oz coppies growing & set with great trees, being aboute the age of xiiiij. yeres groweth, shal at the felling oz weeding thereof leave standing within the precinct of y^e said wood & coppies for everye acre so felled xij. trees of Oke of the same great trees. If there bee so many trees of Oke there to bee left, a for lacke of Okes, then to leave for every acre so felled, as many other trees of Elm, Ashe, Beeche, oz Aspe, as shal make the full number of xii. of such as shal be there then growing, y^e same trees there so left to stand, & to be preserved by such owner during xx. yerres, next after such felling of y^e said woods. And also shal from the xx. day of Aprill next after the felling thereof, during y^e terme of ix. yerres then next following, sufficiently inclose them, oz the springs thereof other wise save from destruction by any maner of cattel, vpon paine y^e every such person being owner of the said great woods, to forfeit. for every such great trees of the said number lacking, & not left standing vi. s. viij. d. And vpon paine that every owner of the ground whereupon such great trees shalbe left standing, causing, oz commaunding any of them to be cut downe contrary to the fourme of this Act, to forfeit for every of them so left, which shalbe so cut downe vi. s. viij. pence. And vpon paine also to forfeit for every rodde of such great wood so not inclosed oz preserved during the said space of ix. yerres for every sponeth iii. s. iij. d. 35. H. 8. 17. 13. Cl. 25.

Wood felled at
xiii. yerres
groweth, shalbe
preserved ix.
yeres.

6 ¶ But it shalbe lawfull to every owner of any of the sayd coppies, woodes, underwoods, standills, great woods & trees afoze rehearsed, to sell & take any of the same for building, repairing, inclosing, & maintaining of houses, orchardes, & gardens, & every of them, & for paling, rayling, oz inclosing of Parkes, Forests, Chases, oz other grounds, & for making oz repairing of water works, dammes, bridges, fludgates, making, oz repairinge, oz amending of shippes, and al other vessels, and for al other thinges concerning his owne uses oz affaires, in such like maner, as hee might lawfully have done before the making of this act. 35. H. 8. 17.

In what cases
one may fell
Randill.

The felling of
woode, wherein
others have
common.

7 ¶ It shal not bee lawfull to any person which shal have any woods, oz underwoods, wherein any other person oz persons insly bath, oz haue used time out of mans remembrance, to have common of pasture, to fell oz cutt downe the sayed woodes, oz under woodes

there

there growing or beinge, except it be to his owne use & occupation, vntill the iiii. part of such woodes, vnder woodes, or groundes where the same woodes grow, or as much as the iiii. part of the said ground shal amount vnto, shalbe by the lord & owner of the said ground diuided, let out, bounded, and inclosed in manner and forme hereafter declared, viz. The said lord & then shalbe owner of y^e said ground shal call together the tenants & inhabitants beinge commoners in y^e said ground, or the moze part of them, and vpon the assemblee and meetinge of the said Lord, tenants, and inhabitants, or the moze part of them, the said Lord or owner, by the consent and agreement of the said tenants, and inhabitants, or the moze part of them, shal diuide, set out, mete & bound the iiii. part of the said woodes & vnder woodes, or so much thereof as shal amount to the full sowerth part thereof. 35. H. 8. 17.

Wherby the
iiii. part of the
wood.

8 ¶ And if the said Lord & the said tenants & inhabitantes, or the moze part of them, cannot, wil not, or do not agree, soz or vpon the seuering, setting out, & bounding of the said iiii. part of the said woodes & vnder woodes, or of as much therof as shal amount to the full fourth part thereof, then ii. Justices of the peace, not being of the kinne, alliance, coucel, or see, of, or to the said lord or owner (beinge thereunto appoynted by the moze number of y^e Justices of peace of the shire, where the said ground lyeth, in their open quarter Sessions,) vpon request & suit made vnto them by the lord or owner, or by his lawful deputie of the said woodes, ground &c. shal haue full power to call befoze them vpon such paines & penalties, as the said Justices shal appoint, such xii. of the said commoners & inhabitants nigh vnto the same woodes &c. as by the said two Justices shalbe thought convenient. And vpon or after the appearance of the same lordes, owners, commoners, & inhabitants, or the moze part of them, the same Justices shal declare vnto the, the cause of their assemblee, & y^e done, shal by the aduice & assent of the said lord, owners, commoners, & inhabitants, or their lawful deputie or deputies, or of y^e moze part of the, effectually procede to y^e seuering, deuinding, meeting, & bounding of y^e said iiii. part of the said woodes & vnder woodes, or of so much thereof as shal amount to the iiii. part thereof. 35. H. 8. 17.

Where ii. Justices
with the
Lord & tenants
shall deuinde the
wood.

9 ¶ And if the same Justices, owners, commoners, & inhabitants, or the moze part of them, cannot, or wil not agree vpon y^e deuision, bounding, or setting out of y^e saide iiii. part thereof, as is afoze said: Then the said Justices shal haue full power to seuer, deuinde, and set out, by mete & bound, the iiii. part of y^e said woodes & vnder woodes, or so much thereof vnder y^e same iiii. part, as shal by the said Justices be thought necessary & requisite be to set out. And wthin y^e moneth next after such seuerance & setting forth thereof, the owner or owners of y^e same woodes or vnder woodes in foume afoze declared, shal

where the Justices
only shal
make the deuision.

Weares.

of the Eschequer. And the same lawe shal hold place of any annoy-
 ance comitted by the enhaunsing of such weares, mills, stanks, stakes,
 and kiddels, as by the making of newe. 45. Ed. 3. 2.

Comission 3 to
 suruey & faulte
 of weares.

3 ¶ Commissions shalbe directed in due forme to sufficient per-
 sons to be Justices in euery county of England where need shalbe,
 to suruey & kepe y^e waters & great riuers there, & to correct & amend
 the faults, & to make due executiō of y^e foresaid stat of 25. & 45. Ed.
 3. according to the effect thereof, aswel by their suruey, aduise, & dis-
 cretion, as by Enquests thereupon to be taken wthin franchises & wth-
 out, if & whē need shalbe, & to heare & determine the foresaid things.
 And mozeouer to suruey the weares, mills, stanks, stakes, & kiddels
 aunciently vsed and leued before the time of R. Ed. 1. And those
 which they shal finde to much enhaunced or strengthened, to abate,
 refoyme, & amende, in maner & forme aforesaid: Sauing alwayes a
 reasonable substance of the weares, mills, stanks, stakes, & kiddels
 aforesaid, so in olde time made & leued. 1. H. 4. 12. See 4. H. 4. 11.
 That Comissions shalbe made to certaine Justices & other in eue-
 rie Countie where neede shalbe, to inquire of all y^e which is contay-
 ned in the said statutes, & to punish the offendours of the same by fine,
 according to their discretion: Sauing alwayes to the Quene the
 paines comprised in the said statutes. And the estreats of such fines
 shalbe deliuered by the said Justices to y^e Sherife of euery countie by
 Indenture, & the Sherife shal pay of y^e issues & profits rising of y^e laide
 Estreats, to euery of the said Justices for euery day y^e he shal travel
 to exercise the said Comission iiii. s. and the Sherife shal thereof haue
 allowance in the Eschequer.

Comissioners
 allowance for
 their paines.

The forfeiture
 of offenders.

4 ¶ And if any such annoyancie of weares, mills, stanks, stakes,
 & kiddels of passages, & streightnings in olde time made & leued, be
 iudged or awarded by the said Justices to be abated or amended, he
 which hath the freehold thereof, shall execute the same at his owne
 costs, wthin halfe a yere after notice thereof to him giuen, vpon paine
 of C. Markes, to be paid to the Q. by the estreates of y^e Eschequer.
 And hee which doeth make them to bee set vp againe enhaunced or
 streightened contrary to y^e said iudgement, & therof is duely conuict,
 shal forf. to the Q. C. markes to be paid as is aforesaid. And in case
 any man seeleth himself grieved by execution or other mean in this
 behalfe against right and reason, let him pursue it, and he shall haue
 right and reason. 1. H. 4. 12.

An offence not
 refoyned, accor-
 ding to the Co-
 misioners
 award.

5 ¶ If by awarde or iudgement of any of the said Comissioners
 assigned according to y^e said stat of 1. H. 4. it be founde that any such
 weares, fishgarthes, mills, milldams, millstankes, lockes, hebbing-
 weares, stakes, kiddels, becks, or fludgates be made, leued enhaun-
 sed, streightened, or enlarged, contrary to the same statut, if y^e offendours
 in this

In this behalfe, contrary to the said award, rule, & iudgement being duely warned by the Sherife or vnder Sherife of the county or countie where such weares, fishgarths &c. & other annoyances, disturbances, or impediments aforesaid shalbe founde, made, leuied, streighted, or enlarged, by Scire facias being directed to y^e said Sherife or vnder Sherife, do not within thre moneths next after y^e said garnishmēt made, at their owne costs & charges duely & fully amend, breake downe, & auoid the said making, leuying, enhaunsing, streightning, or enlarging, being defectiue, as in the foresaid statut is specified: The he or they which shal in this case offend, shal forf. to y^e D. for every default C. Markes, by transcript to be deliuered into the Eschequer, in manner & forme, as in the said statut is contained. And if the offendor his heire, heires, assignee, or assignees, or any of the do deferre or continue the same defaults, contrary to the foresaid award, rule, & iudgement of y^e Commissioners aforesaid, he or they so differring or continuing the same default, shal forf. for every moneth after y^e said iii. moneths ended, y^e y^e same default shal remaine & be not corrected, amended, nor reformed C. Markes to the D. & any of her subiects that will sue by A. of debt, wherein no W. C. B. &c. 12. Ed. 4. 7.

¶ If any person other then such against whom such awarde, rule, or iudgemēt was made and had, not being heire or assignee to them, or any of them, will presume to occupie or continue any such weares, fishgarths, mills, mildames, millstankes, lockes, hebbing, weares, stakes, kiddels, heckes, fludgats, or other disturbance; or impediments, as is aforesaid, he or they which do presume to occupy or continue, shal forf. for every default for every moneth, as is aforesaid C. Markes to the D. & any of her subiects that will sue by A. of debt, wherein no W. C. B. &c. 12. Ed. 4. 7.

An office made or comitted by a stranger contrary to the Commissioners award.

¶ White Ashes.

No person shall shippe, lade, carrie, or conuey any white Ashes towarde the parties beyond the Seas, vpon payne of forf. for every bushell of such Ashes so to bee shipped or laden to be carped or conueied into the partes beyond the seas, to the Quene & Informer, to be recovered by Action, Information &c. Wherein no W. C. B. &c. 2. Ed. 6. 26.

White Ashes shall not be transported.

¶ Wildfoule.

From the first day of March vnto the last day of June yere, no person shal willingly withold, purloine, take, destroy, or conuey any egges of any kind of wildfoule fro any nest, or place where they shalbe lated by any kind of the same wildfoule, vpon paine of imprisonment for one yere, & to forf. to the D. & J. &c. for every egge of any Crane or Bustard, so destroyed or taken from any nest or place

Taking or destroying y^e eggs of wildfoule.

xx. s.

V Voodes.

to be within any of the weldes of Kent, Surrey, & Suffex, other the onely to the common wodes growing & being wⁱⁿ any of the sayd weldes of the said Counties. 35. H. 8. 17.

To what wood
thys Statut ex-
tendeth not.

17 ¶ This act shal not extende to charge any person with any penaltie contained therein, concerning any timber trees growing to in two miles of the Sea in the countie of Cornewall, or any other timber trees within the Realme being sere & dead in the toppes, or any timber trees to be taken by vertue of y^e Quenes C^ommission to in the Realme. And for any offence done contrary to the tenor of this act, vnlesse the person offending this act be sued for the same within one yere next after the same offence committed. 35. H. 8. 17.

Within what
time y^e offender
must be sued.

Breaking of
wood hedges.

18 ¶ If any person do breake or destroy any seuerall fences, or hedges, made for y^e sawing of y^e same wodes, vnder wodes, grounds, or soiles, he shal forf. for euery such offence 1. s. 35. H. 8. 17.

Swine shal not
go in the wood
harmesed.

19 ¶ If any person suffer his swine being of y^e age of 1. weekes or aboue, (during such yeres as the said wodes be appoynted by this act to be inclosed,) to go or runne in any common, or seuerall ground or wodes, vnlesse the same be sufficiently ringed, or pegged, then y^e owner of euery such swine, shal forsayt for euery such his swyne y^e shal goe vnringed &c. iiii. s. the one halfe of the sayde forsaitures if it be in any of y^e Quenes wodes or grounds, to be to her highnes, & the other to the finder thereof, and if it bee within any other persons grounds, or wodes, the one halfe of the same forsaitures to be to the owners of the soile, and the other to him that wil sue for y^e same by A. J. &c. wherein M. C. P. &c. 35. H. 8. 17.

The fensling of
wood in a park
wherein Deere
is kept.

20 ¶ Where any wodes or vnderwodes shal bee felled in any parke, or ground inclosed wherein any Deere shal bee then kept, the owner or possessor of such parke or grounds be chargeable for the inclosure & preservation of the same as is also said, but onely for the space of five yeres after any such time of felling of the same wodes &c. and not aboue. An. 35. H. 8. 17.

Where a strass-
ger is caus of
the offence, he
shal be punished
& not th^e owner
of the ground.

21 ¶ If the inclosure of any of the said coppies, wodes, vnder wodes, or groundes happen to be broken, or pulled downe by any person against the wil of the owner or possessor of y^e same wodes &c. wherby cattel escape into the same wodes &c. and destroy or hurt the spring thereof, or if the same wodes, ground or vnderwodes, be by any meanes destroyed, hurted, or hindzed by any person, or by y^e cat- tel of any person, without the assent and wil of such owner or possessor: in euery such case the said penalties contained in this act, shal be extended vpon the same person by whose default the same spring, wood or vnderwood shal be so destroyed or hurted, and not vpon the owner or possessor of the said wodes, groundes, or vnderwodes. An. 35. H. 8. 17. 13. Cl. 25.

22 **I**t shall not be lawefull for any person to put any maner of cattell into any copies woods inclosed to be p̄serued, from the time of the sale thereof vntill the end of fīue peeres, nor from the end of fīue peeres, any other cattell but calues, and peereling Coltes onely, vntill the ende of sixe peeres, if the wood was vnder the age of xiiii. peeres at the last fall, or vntill the age of viii. peeres if the wood was aboute the age of xiiii. at the time of the last fall. 13. El. 25.

23 **E**uery man that hath wood within the Forrest, may take the said wood without being attached by any officer of the forest, so that he doe it by the viewe of the foresters 1. Ed. 3. 2. And euery freeman may take agestment in his owne wood within the D. forest at his pleasure, & shall haue his pawnsage, & may driue his swine through the Queenes demeane woods, for to agest them in his owne woods or else where, & if the swine carry one night in the forest, hee shall not lose one of them thereby. Charta de Forresta. 9. H. 3. 9.

24 **T**hose that doe make purpessures in their woodes which they haue in forests wout the Queenes special licence, or wast, or assert in the same, shall answer to the Queene for y^e same wasts, purpessures and assertes. But euery freeman shall without daunger make in his owne wood in his grounde, or in his water, which hee hath within the Queenes forest a myll, a poole, a pond, a marlepit, a ditch, or air-able lande, out of the Couert of the forest of grounde which hath bene airable, so that it be not to the hurte of any of his neighbours, and also he may haue within his woods Appies of Hawkes, Sparhawkes, Falcons, Eagles and Perons, & the honte that is found within his woods. Charta de Foresta. Anno 9. H. 3. 4. 12. 13.

25 **I**f any of the Queenes subiectes hauing woods of his owne, growing in his owne ground within any forest, chase, or purlieu of the same within this realme of Englande, shall cut or cause to be cut the same wood, or part thereof, by licence of the Queene, or of her heyres in her forests, chases or purliewes, or without licence in the forest, chase or purliewes of any other person, or make any sale of the same wood, it shall be lawfull to the same subiect, owner of the same ground whereupon the wood so cut did growe, and to other such persons, to whome such wood shall be solde, immediatly after the wood so cut, to copie, and inclose the same grounde with sufficient hedges, able to keepe out all maner beastes, and cattel out of the same ground, for the p̄seruing of their pong spring, and y^e said hedges being so made, y^e said subiects may keepe them continually by the space of seuen yerres next after the same inclosing, and repayre and susteine the same as often as shall neede to in the same seuen yerres, wout suing any other licence of the Queene, or

within what
time cattell
may be put
into copies,
woodes.

Howe a man
may ble his
wood which
is within the
forest.
Agement.

Purpessures,
wastes, assertes
made in
woods, with-
in the forest.
How ech man
may ble his
wood within
a forest.

How long
woods felled
in the forestes
may be in-
closed.

Woods.

of her heires, or other persons, or any of their officers, of the same forests, chales, and purliewes, 22. Ed. 4. 7.

What wood
shall not be
imployed to
making of
Iron.

26 ¶ No person shall conuert or imploy, or cause to be conuerted or imployed to coale, or other fuel for the making of yron, any timber tree of Oke, Beech or Ashe, or of any part thereof, of the bredth of one foote square at the stubbe, and growing within fourteene miles of the sea, or of any part of the Riuer of Thames, Seuerne, Wyfe, Humber, Dee, Tyne, Tres, Trent, or any other riuer, creeke, or streame, by the which carriage is commonly vled by boate, or other vessell to any part of the sea, vpon payne of forfaiture for euery such tree, or any part thereof so imployed &c. xl.s. to the Q. and J. to be recovered by A. J. wherein no W. C. P. or Iniunction. &c. 1. El. 15.

27 ¶ But this acte shall not extend to the county of Suffex nor to the weilde of Kent, nor to any the parishes of Charlewood, Newdigat and Lygh in the county of Surrey. 1. El. 15.

Wood conuerted
into coale
for the making
of Iron.

28 ¶ No person or persons shall conuert or imploy, or cause to be conuerted or imployed to coale or other fuel, for the making of yron, or of yron mettall in any yron mylles, furnesse, or hammer, any maner of wood, or vnderwood now growing, or which hereafter shall growe within the compasse of xxii. myles from and about the citie of London, or the suburbes of the same, or within xxii. myles of the riuer of Thames, frō Dochester in the countie of Dreforde downewardes the sayd riuer of Thames, nor within foure miles of the foot of the hils called the downes betwixt Arundell and Pemsey, in the countie of Suffex, nor within 4. myles of any of þe townes of Winchelsey, & Rie, nor within ii. myles of þe towne of Pemsey, nor within 3. myles of the towne of Hastings, in the said countie, vpon payne to forfait for euery load of wood so to be imployed or conuerted into cole, or other fuell for the making of yron, or yron mettall, in any yron myl, furnace, or hammer as aforesaid, xl.s. to þe Q. & J. to be rec. by A. B. P. or J. wherein no W. C. P. or J. &c. 23. El. 5.

The weिल्ds of
Suffex, Surrey
& Kent.

29 ¶ This acte shall not extend to any woods growing, or to grow in any such part of þe wilds of Surrey, Suffex or Kent, within the said xxii. myles of the sayd citie of London, & the riuer of Thames, as is distant aboue xviii. myles from the citie of London, and viii. myles from the said riuer of Thames 23. El. 5.

New Iron
wojkes.

30 ¶ No newe yron wojkes shall be erected within two and twenty miles of the said citie of London, nor within fourteene myles of the riuer of Thames, nor within foure myles of the downes aforesaid, or of the sayd townes of Pemsey, Winchelsey, Hastings, or Rye, vpon paine of C. li. likewise to be recovered and employed as is aforesaid. 23. El. 5.

31 ¶ This

31 **T**his act nor any thing therein contained, shall extend to any woods or underwoods now standing or growing, or which hereafter shall stand or growe in or upon any lands of Christopher Darrell gent. in the parish of Newdigate, within the weild of the countie of Surrey, which woods of the said Christopher haue heretofore beene, and be by him preserved and coppised for the vse of his pson works in those parts 23. El. 5.

1 The forf, for burning of any heape of wood felled. s. Burning. 1.

2 At what time Oken trees meet to be barked, shall be felled. S. Barke 1.

3 That no purueiours of timber shall fell any trees growing in or about any mans house. S. Purueyours 8.

4 That no Purueyour of timber shall fell any timber to the vse, but onely in barking time, or shall take away any more then onely the timber tree. S. Barke. 2.

5 That none shall buy woode but they which will burne, or re-taile the same. S. Fuell. 1.

6 Where woodes shalbe felled in or neere high wayes, S. High wayes. 18.

Woolles.

NO person being borne within the Queenes obeyfance, shall buy, bargain, take, or make any promise or bargain of woolles, but onely such person, his wife, or his apprentice inhabiting in his mansion house, as shall of y^e said wools make varne, any kinde of clothes, chāb-lets, Woolestede, Sayes, Stamine, knit hose, knit pericotes, knitte gloues, knit sleeues, hattes, cospes, caps, Arras, Tapistrie, couer lets, girdles, or any other thing vled to be made of wool, or mixed wth wool within the realme, or else a marchant of the Staple, or his apprentice dwelling in his mansion house, to be shipped onely to the staple, upon payne of forf. of the double value of the said wools so to be bought or bargained, or taken by promise of bargain contrary to this act, to the Q. and A. to be rec. by A. J. &c. wherein no W. E. P. &c. 5. Ed. 6. 7. Nei-ther shall any denizen buy woolles, but of the owner of the sheepe and tiche wool, but in the staple. 14. R. 2. 4.

Who onely
may buy
wools.

The words of
the statute be
to be shipped
only to the sta-
ple of Calice.
Ideo Quare.

2 **B**ut the marchauntes of Newcastle, and other persons may buy wools of the growth of the counties of Northumberland, Cumber-land, Westmerland, Richmount, and Alderton shire, or the byshoppe of Duresme, to the intent to shippe or transport the same into the par-ties beyonde the sea, as they haue bene accustomed, any thing in this acte &c. notwithstanding. 5. Ed. 6. 7.

Wools grow-
ing in North-
umberland
&c.

3 **A**nd also the marchants of the Staple from time to time may

A a ii,

bargaine

Woolles.

*Staplers may
sell their refuse
woolles & lockes.*

bargaine or sell their refuse course woolles, and lockes, such as is not meete for the said Staple, to any person y will buy the same to make parne or cloth, or other things as is aforesaid within this realme, so as the same be shot and packed by the wool packer, declaring of what packing or countrey the refuse or lockes be, and writing vpon the clothes wherein the said refuse wool is packed, in great letters, as they do vpon the woolles that are shipped to the Staple. 5. Ed. 6. 7.

*How Nozff.
woolles may be
bought & solde
again within
the same countie*

4 ¶ Every person dwelling within the Countie of Nozff. or citie of Nozwich, by himselfe, or by his factor or seruant, may lawfully buy and bargain woolles, and take and make prouision to buy or bargain woolles growing onely within the sayde countie of Nozff. so that the same person so buying or bargayning, or making promise to buy or bargain the said woolles, do sell or retayle the same againe in the common market, or other open place within the said countie of Nozfolke or citie of Nozwich, to any person or persons that will buy the same or any parcell thereof dwelling within the saide countie of Nozfolke and citie of Nozwich, or any of them, that will spinne the same within the same countie or citie. 1. Ed. 6. 6. 5. Ed. 6. 7.

*The inhabi-
tants of Walis-
far may buy
wolles &
sell the same
there againe.*

5 ¶ It shall be lawefull to any person inhabiting within the pariss of Walifar to buy any woolle, at such times as the Clothiers may buy the same (otherwise then by ingrossing & forstalling) so that the persons so buying the same, do carrie, or cause to be carryed the said woolls so bought by them to the towne of Walifar, and there to sell the same to such pooze folke of that and other parishes adioynning, as shall worke the same in cloth of parne (to their knowledge) and not to the rich clothier, nor to any other to sell againe, and if eyther the wool dyuer shall sel his said woolls at any other place forth of the said towne of Walifar, or if any such that shall buy their woolles at Walifare, shall sell their woolls that they bought againe vntwought in parne or cloth, the euery such offendour shall forfeite the double value of the wool so solde or vntered, to the D. and Informer, that will sue for the same in any of the Queenes Courts of Record, or before the Iustices of the peace in their sessions. 2. & 3. P. & M. 13. S. Iustice of peace. 98.

*At what time
a marchant as
hen may buy
wool.
No man shall
keepe his
wool about a
yeere, if he
haue the ordi-
nary price of
fered for it.*

6 ¶ No marchant stranger, by himselfe, or by any other person for him, in his name, or to his vse shall bargeine, or buy any woolls before the feast of the purification of our Lady next after the clipping or shearing of the same woolles, vpon payne of forfeiture of the double value of the same woolles, to the D. and I. to bee recouered by A. I. &c. wherein no M. C. P. &c. 5. Ed. 6. 7.

7 ¶ No person hauing any wool of his owne growth, shall keepe the same woolles, to the intent to sell the same in woolls vntwought, a-
boue

houe one whole yeere next and immediatly after the shearing of y^e same woolles, so as there be offered without fraud or couin to the owner or owners thereof within the same time, such price as then shall be most commonly giuen in the same shire for wool of like goodnes & packing, vpon payne of forfaiture for euery tod, or tod weight thereof so kept aboue one yeere vsold as is aforesaid x.s. to the D. & J. to bee recouered by A. J. &c. wherein no *W. E. P. &c. 5. Ed. 6. 7.*

8 ¶ No person shall wind or cause to be wound, any fleece of wool, being not sufficiently riuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sand, staples, deceitfull lockes, cor, calles, comber, lambes woolle, or any other thing, where by the fleece may be the more weightie, to the deceipt, and losse of the buyer, vpon payne the seller of any such deceitfull wools to forfait for euery such fleece vi. d. to the D. and the finder, and prouer of the same deceipte, to be recouered by A. J. &c. wherein no *W. E. P. &c. 8. H. 6. 22. 23. H. 8. 17. 13. El. 25.* And if any woolpacker doe make any other but good & due packing, he that feeleth himselfe griued thereby shall haue his action of treaspasse and deceite at the common lawe against him, and if any stranger doe force, clacke, or beard any wool, he shall forfait the same or the value thereof, and be imprisoned. *8. H. 6. 22.*

Winding of
woolles.

Wool packer.

Force, clack,
or beard wool.

9 ¶ But this act concerning riuering & washing of any wool, shall not extende to any shire or shires, the inhabitantes whereof haue not customably vsed before this time, to riuer or washe their sheepe before they be shorne, nor shall bee hurtfull to any persons that haue vsed customably to sell their wools by tale, or number of y^e fleeces, and not by weight. *23. H. 8. 17. 13. El. 25.*

Counties
where wool is
not washed,
or fleeced,
sold by tale.

10 ¶ No denizen nor soperine shall make any refuse of wools, but of cotte, gare, and billeine. Neyther shall any buy woolles, by these wordes (good packing) nor other like wordes, vpon payne to forfait to the partie griued double damages, and the broker shall be halfe a yeere imprisoned. And whosoever doeth cocket wool but in the name of him whose the woolles be, shall forfait them. *13. R. 2. 9.*

What wool
may be
refused.

Cocketing of
wools.

In the time of King Edward the third, and sithence, diuers statutes were made for the placing, maintenance, and remouing of the staple, and for lawes and ordinances to be obserued therein, and certayne Magistrates and officers were ordeined for the execution thereof, & seuerall statutes were made prohibiting wools to be carried to any other place sauing to Callice, or the places where the said staple was established, but some of those statutes be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this and other titles of this treatise.

The staple.

Women.

Quare

But whether the staple is remoued, by what warrant or authoritie, & in what sort, and how far the statutes prouided for the maintenance of the staple of Callice do extende, or may be executed for the maintenance of the same in any other place, Quare.

- 1 For the contents of a stone and sacke of wool, S. Weights 3.
- 2 For the custome of wools, S. Custome 8. 18.
- 3 For the boyling of woollc, and with what stuffe it shall be boyled, S. Draperie. 63.

¶ Women.

Alienations,
recoeries, or
warranties
made by the
wife of the in-
heritance of
her late hus-
band.

If any woman hauing estate in dower, or for terme of life, or in taile, ioyntlie with her husband, or onely to herselfe, or to her vse, in any mannoys, landes, tenementes or other hereditamentes of the inheritance or purchase of her husband, or giuen to the said husband & wife in taile, or for terme of life, by any of the aunccestours of the said husband, or by any other person seised to the vse of the said husband, or of his aunccestours, and shall being sole, or with any other after taken husbände, discontinue, alien, release, or confirme with warrantie, or by couin suffer any recoerie of the same against them, or any of them, or any other seised to their vse, or to the vse of cyther of them, after the fourme aforesaid, all such recoeries, discontinuances, alienations, releases, confirmations, and warranties so had and made, shall be vtterly void. And it shall be lawefull to euery person and persons to whome the interest, title, or inheritance after the decease of the saide woman of the said lands &c. being discontinued, aliened, or suffered, to be recovered in forme aforesaid shoulde apperteine, to enter into all and euery of the premisses, and peaceably to possede and inioy the same, in such maner and fourme as he or they shoulde haue done, if no such discontinuance, warrantie, nor recoerie had bene had or made. 11. H. 7. 20. S. Statute. Gloucester 6. Ed. 1. If a woman doe sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whō the land ought to reuert after the decease of the wife, shall immediatly haue his recoerie by writ of Entrie out of the Chauncerie.

A writ of En-
trie in casu
prouiso.

Upon the re-
coerie of alie-
nation of the
woman, he in
the reuersion
may enter.

A woman co-
uert bound
but during her
husbands life.

2 ¶ If any of the said husbendes and women, or any other seised to the vse of them, of the estate afoze specified, doe make or cause to bee made, or suffer any such discontinuance, alienations, warranties, or recoeries in forme aforesaid: Then it shall be lawefull to the person or persons, to whome the said landes &c. shoulde or ought to belong, after the decease of the said woman, to enter into the same, & them to possede and inioy, according to such title and interest, as they shoulde haue had if y^e same woman had bene dead, no discontinuance, warrantie, nor recoery had against the said husband during his life, if the said discontinuance

nuance, alienation, warranties, & recoveries be had by or against y^e same husbands & women during the espousall betwixt the. But the said women after the decease of their said husbands, may reenter into y^e same lands &c. & the inioy, according to their first estate in y^e same. 11. H. 7. 20.

3 ¶ If the said women, at the time of such discontinuance, alienations, recoveries, warranties, in forme aforesaid had and made, of any of the premisses be sole, then she shall be excluded of her title & interest in the same from thenceforth, and the person to whom y^e title, interest, and possession of the same should belong after the decease of the sayde woman, shall immediatly after the sayd discontinuances, alienations, recoveries, & warranties enter into the same lands &c. and them possede and inioy according to his title in the same. 11. H. 7. 20.

A woman sole
aliening or
suffering
recovery.

4 ¶ This acte shall not extende to any such recovery or discontinuance had with the heires next inheritable to y^e said woman, or where he or they that next after the death of the same woman shoulde haue estate of inheritance in the same lands &c. be assenting and agreeable to the said recoveries, where the same assent and agreement is of recorde or inrolled, And it shall be lawefull to every such woman being sole, or married, after the death of her first husband to giue, sell or make discontinuance of any such landes, for terme of her life onely, after the course of the common lawe. 11. H. 7. 20.

A woman doth
discontinue or
suffer recovery
with the
heires consent.

5 ¶ No fine, feoffment, or other acte, made, suffered, or done by the husband onely of any landes, tenementes, or hereditamentes, being the inheritauce or freehold of his wife, during the couerture betwixt them, shall in any wise be, or make any discontinuance thereof, or bee prejudiciall to the wife or to her heires, or to such as shall haue title, interest, or right to the same by the death of such wife, But the same wife or her heires, and such other to whome such right shall apperteine after her decease, shall and may then lawefully enter into such landes &c. according to their rightes and titles therein, notwithstanding such feoffment or other act. (fines leuied by the husband and wife whereunto the said wife is partie & priuie except.) But this act doth not giue libertie to y^e wife, or to her heires, to auoyde any lease made of any inheritance of y^e wife by her husband & her for terme of xxi. yeeres or vnder, or for terme of iii. liues at y^e uttermost, wherupon as much yerely rēt or more is reserued, & yerely payable during y^e same lease, as was at any time therfore paid within xx. yeeres next before y^e making of any such lease. 3. 2. H. 8. 28. Neither doth this act giue libertie to the wife or her heires to auoid any recoveries, deeds inrolled, or releases, being in the nature of fines, (wherupon women couert are vled to be examined) knowledged & takē before y^e Maiors, aldermē, recorder, chāberlains,

A woman may
giue land for
terme of her
owne life.

The husbands
only act of the
wifes landes
shal not preiudice
her, or her
heirs after his
death.

Leases made
by the husband
and wife of the
inheritance of
the wife.

Recoveries or
deeds inrolled
in corporat
townes.

Women.

of other head officers of the Citie of London, or other cities, boroughs, or townes corporate hauing power to receiue & take the same, according to the customes of the said cities, boroughs, &c. But the same recoveries, deedes inrolled, & releases shal remaine of like strength to all intents as they were before the making of the fore said statute of 32. H. 8. 34. H. 8. 22. See Westm. 2. 13. Ed. 1. 3. that if the husband do lose by default any tenement which was his wiues right, the wife after the death of her husband may recover the same by a Cui in vita.

Lands recover-
ed against the
husband by
default.

Conueying a
way of a maid
under xvi.
peeres of age.

6 ¶ It shall not be lawfull to any person or persons to take or conuey, or cause to bee taken or conueyed away, any mayde or woman childe vnmarrried being within the age of sixteene peeres, out of, or from the possession, custodie, or gouernance, and against the will of the father of such mayde, or woman childe, or of such person to whome her father by his last will, or by any other acte in his life time shall assigne, bequeath, giue, or graunt the order, keeping, education, or gouernance of her, except such taking away shall be had or made by or for such person as without fraude then shall be the master or mistresse, or the gardeine in socage, or gardeine in chivalrie, of or to such maid or woman childe. 4. & 5. H. 8. 8.

The foir. for
taking away
a maid under
xvi. peeres of
age.

7 ¶ If any person or persons aboue the age of xiiii. peeres vnlawfully take or conuey, or cause to be taken or conueyed any maid or woman childe vnmarrried, being within the age of sixteene peeres, out of, or from the possession and against the will of the father, or mother, or of such person or persons as then shall haue by any lawefull meane the order, keeping, education, or gouernance of any such mayd or woman childe, Then euery such offender being thereof lawefully attainted or conuicted by the due course of the lawe of this realme, (other then such of whome such person taken away shall holde any landes or tenements by Knyghtes seruice,) shall be two peeres imprisoned, without bayle or mainprise, or else shall pay such fine for his said offence to the Q. and H. griued, as shall be assessed by the Queenes Counsel in the Starre Chamber at Westminster. 4. & 5. H. 8. 8.

Taking away
and bestow-
ring or con-
tracting ma-
trimonie with
a woman un-
der xvi. peeres
of age.

8 ¶ If any such person or persons shall so take away, or cause to be taken away as is aforesaid, and bestowe any such mayd or woman childe as is aforesaid, Or shall against the wil, or unknowing of, or to her father, if the father be in life, or of, or to her mother, (hauing the custodie and gouernance of such child if the father bee dead) by secrete letters, messages, or otherwise, contract matrimonie with any such maiden or woman childe (except such contracts of matrimonie as shal be made by the consent of such person or persons as by the title of wardship shal the haue or be entituled to haue the marriage of her) then euery such

such offender being thereof lawfully convicted &c. shall suffer imprisonment five yerres without baile or mainprise, or els shall pay such fine for his laide offence to the Q. and partie grieved, as shall be assessed by the Queenes Counsel in y^e said Starre Chamber. 4. & 5. P. & M. 8.

9 **C** The Queenes counsel of the Starre Chamber by byll of complaint or information, & Iustices of assise by inquisition or indictment, haue authoritie to heare & determine y^e said offences, vpon euery which indictments & inquisitions such proces shall be awarded, as vpon an indictment of Trespasse at the Common law. 4. & 5. P. & M. 8.

Who may
heare and de-
termine the of-
fences afores-
saide.

10 **C** If any woman childe or maiden, being aboute the age of xii. yerres & vnder xvi. doe at any time consent to such person that so shall make any contract of Patrimonie, contrarie to the forme & effect of this Statute: Then the next of her kinne to whom y^e inheritance should retorne or come after her decease, shall from the time of such assent, haue and enioy all such landes, tenements, and hereditaments as shee had in possession, reuerston, or remainder, at the time of such assent, during y^e life of such person that shall so contract Patrimonie. And after the decease of such person so contracting Patrimonie, then y^e said landes &c. shall descend, reuert, remaine, & come to such person or persons, as they should haue done in case this Act had neuer bene made, other then to him onely that so shall contract Patrimonie. 4. & 5. P. & M. 8.

If a woman
betwixt xii. &
xvi. do consent
to an vnlaw-
ful contract of
matrimonie,
her next heire
may enter by
on her landes.

11 **C** But this Act shall not extend to take away or diminish any libertie, custome, or authoritie, concerning any Dyphans within y^e Citie of London, or any other Citie, Borough, or Towne where Dyphans are commonly vsed to be provided for, either by graunt or by custome: But y^e Lord Maior of the said Citie of London, & the Aldermen of the same, & euery other head Officer of any other Citie &c. where such Dyphans be provided for, shall, and may haue, and take like rule, order, keeping, and charge of such Dyphans; and of all their landes, tenements, goods and cattels, as heretofore they vsed, or lawfully might haue had and vsed, if this Act had not bene made. 4. & 5. P. & M. 8.

12 **C** If any person or persons do take any maide, wydowe, or wife, which hath any landes or goods, or is heire apparant to her ancestor, against her wil vnlawfully: such taking, procuring, and abetting to the same, and also receyuing wittingly the same woman so taken against her will, and knowing the same, is felony, and such misdoers, takers, and procurators to the same, and receiuors knowing the sayde offence in forme aforesaid, shall be reputed and iudged as principall felons: But this Act doth not extend to any person taking any woman, onely clayming her as his ward or bond woman. 3. P. 7. 2.

Taking a wo-
man against
her will.

Ward, bonds-
women.

13 **C** If any person or persons will take by force, or dissimulation,

A woman en-
forced to be
bound by ob-
ligation of sta-
tute against
her will.

lation, or by any other meanes will get into his or their possession any woman being sole, hauing any landes, tenements, or moueable goods within this Realme, and conuey her into any place where he or they be of power, and will not suffer her to goe at libertie, vntill she will be bounde vnto him or them, or to some other, to his or their vse, in a summe of money in an obligation, or obligations simple, or conditionall, or by obligation of the statute marchant befoze a Mayor or Bailie, hauing power to take such recognisances, or will cause the saide summe to be leuied of her landes or goods, or will cause her to be married against her will: Then the partie which is bounde may haue a writte out of the Chauncerie containyng all the matter of her vnreasonable increatie, directed to the Sherife of the Countie where any of the sayde offences shalbe committed, commaunding him that he shal by force of that writte, make Proclamation in the full & next Countie after the receipt of the said writte, that the person or persons containyng in the sayde writte shal appeare at a certaine day & place prefixed in the said writte, befoze the Chancellour of England, or befoze the Justices of Assise in the Countie where the said offence was committed, or otherwise befoze some worthy person appointed by the Chancellour, at which day and place if the partie &c. doe appeare, the Chancellour, Justice, or other person assigned, shall examine him duely vpon the premysse, by which examination if they may finde the sayd obligation or obligations to be made in such forme as is aforesaid, then the said obligation or obligations, & all proces and execution thereupon pursued, shalbe voyde. And if it be found by examination befoze them, that any of the said obligations were made for verie duetie, and by no such meane as is aforesaid, Then the said obligation &c. & all the proces and execution pursued thereupon shalbe good & effectuell. And if the person or persons in such writtes named, against whom any such letters or writtes shalbe sued, doe make default at the day and place limited in the sayd writtes: Then all such obligations as be aboue specified & in the said writs expresse, & all maner of proces, & execution sued or pursued thereupon shalbe void, 3 1. R. 6. 9.

What the Sher-
rife shall say, if
he do not exe-
cute this writ.

14 **T**he Sherife to whom such writs vpon this Statute com-
menced, shalbe directed, shal execute the sayde writtes according to the
tenour thereof, vpon payne of CCC. li. whereof the Queene shal haue
the one moitie, & the partie which sueth the Proclamation the other,
for the which moitie the sayde partie greeued shal haue an action of
debt against the sayd Sherife with proces of outlawry, wherein no
T. R. &c. nor foraine plee to be tried in any other place, but where
the writ commenced vpon the statute is sued, 3 1. R. 6. 9.

15 ¶ If any man doth alien the right of his wife, the womans suit, or her heires, shall not be differred after the death of her husband by the minority of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought an others right) shall carrie to haue his warrantie vntill the full age of the heire, West. 2. 13. Ed. 1. 40.

A womans
suit shall not
be differred by
the minority
of the heire
which should
warrant.

1 What punishment doth ensue the Rape of a woman, or consenting to Rape. S. Rape 1. 2. 3.

2 Where a woman shall haue her quarentine, where her ioynture, where her dower, and what cases there may be of conclusion of forfeiture, S. Dower.

3 Where a woman may haue appeale of death or murder, S. Appales 4.

4 In what case a woman aboue the age of xii. yeres is compellable to serue. S. Labourers 14.

5 What leases made of a womans lands during her couerture shal bind her, & what not, S. Leases 1. 2. 3.

6 How widowes, or other women, which holde of the Q. in chiefe shalbe vsed in euery respect, S. Prerog. 4. 5. 27.

7 In what cases a woman couert shall bereceyued to defend her right of lands demaunded, S. Receipt 1.

8 That a will made by a woman couert of landes is not effectuell in law. S. Willes 17.

9 That a will made by a widowe of her croppes is good, S. Willes 20.

¶ Worstedes.

N^O person shall take vpon him to dyecalender any worsted with in this Realme, vpon payne to forfeit. for euery worsted that is so dyecalendred C. s. 5. H. 8. 4. 25. H. 8. 5.

No worsted
shalbe dyecalendred.

2 ¶ No person or persons shall take vpon him or them to wetcalender any worsted, but only such persons as haue bene bound apprentices to other persons of the same occupation of wetcalendring of worsted by the space of seuen peeres, or be cunning in the same, and their cunning approued and admitted by the Maior of Norwiche, and the two Masters of the sayde craft, peere to be chosen within the sayde Citie of Norwiche, or in the Countie of Norfolk, of the craft of wetcalendring, vpon payne of euery such person which shall doe the contrarie to forfeite for euery piece so calendred against the purueyances aforesayde C. s. to the Queene and to the Masters of the sayde occupation of wetcalendring for the time beyng.

Who shal wet
calendr worsted.

And

Worstedes.

And it shalbe lawfull to the Masters of the sayde occupation (for the tyme being) and their successors, to sue for the one moitie of all such penalties forf. against euery such person, as shall doe contrary to the forme and effect of this statute by Action of debt, or by B. P. J. &c. wherein no *W. &c. E. P. &c. 5. H. 8. 4. 25. H. 8. 5.*

None that dy-
eth worsteds
shal calender
them.

3 ¶ No person vsing the misterie of dying of worsteds, stammings, or sayes, or any of them, neither by himselfe, his seruant, factor, depu- tie, or any other by his assignement, shall vse to calender any worsteds, stammings, or sayes, or any other commodities made of worsted yarne, during all such tyme as he shall vse the misterie of dying afore sayde, vpon paine to forsaite for euery peece so dyed, and calendred, by fraude, or contrarie to the true meaning of this Act x. s. to bee deuided into iii. equall partes, the one to the Queene, one other part to the Mayor of Norwich, and the third part to him or them that will sue for the same by A. J. &c. wherein no *E. P. or delay &c. 25. H. 8. 5.*

No worsted
transported be-
foze the same
be shorne, dyed
and calendred.

4 ¶ No person shall transport beyond the sea any clothes of wor- sted, before the same be shorne, dyed, coloured, and calendred, vpon pain of forf. of the value thereof to the Q. & J. to be recovered by A. J. &c. wherein no *W. &c. E. P. &c. 14. H. 8. 3. 26. H. 8. 16.*

What wor-
steds may be
transported, &
what not.

5 ¶ The Marchants and workers of Clothes, called single wor- sted, may carrie boltes of single worsted to what parties they will, (except to the Queenes enemies) paying the Customs and subsidies thereof due, notwithstanding any statute, ordinance, proclamation, inhibition, commandements, or charters, liberties, vsages, or priuiled- ges, graunted or to be graunted to the Marchants of the staple, or to any other, made or to be made to the contrarie. But vnder the colour of the sayde boltes of single worsted, they shal carrie no double worsteds, nor halfe double, nor worsteds rape, nor motley, vpon paine of forfai- ture of the same. *17. R. 2. 3.*

Euery man
shall put his
marke to his
worsted.

6 ¶ No man of the craft of worsted weauers, within the Citie of Norwich, or the Countie of Norfolk, shall make any worsted, vnles he put his proper marke, fixed or wouen vpon the same, ordeined by the Wardens of the sayde Misterie, vpon paine to forsaite the same to the Q. and for euery peece of worsted sold not marked after the forme afore sayde, the first seller shall forsaite the pprice of the peece so by him sold to the Queene. *7. Ed. 4. 2.*

Who shalbe
worsted wea-
uers of great
Parmouth &
Lynne.

7 ¶ No person inhabited within either of the Townes of great Parmouth, or Lynne in the Countie of Norfolk, or the suburbs thereof, shall weaue, or make any worsteds, sayes, or stammings, with- in either of þ same townes, except he be an Englishman borne, & haue bene apprentice to þ said occupation, & without he weaue therein such proper

proper marke, as shalbe appointed by the Warden of either of the said Townes where he shall inhabit for the time being, elect and sworne, vpon paine of forfaiture therof to the Queene. And euery Warden of eyther of the sayde townes shal limit distinct and seuerall markes to euery of the said worsted weauers of the same townes of great Par-mouth and Lynne, and the same markes by the said Wardens shalbe Registred in a booke. 14. H. 8. 3. 26. H. 8. 16.

8 ¶ The crafts men of worsted weauers inhabited within either of the said townes of Lynne and Par-mouth, or suburbs of the same, and the marchants or any other person or persons which shal buy of any of the same crafts men, or of any other person, any of the said clothes of worsteds, stammings, or sayes, made within either of the said townes of Linne & Par-mouth, and sealed by þ wardens of the same townes, nor any of them shall not sheere, die, or put in colour, or calender any wor-steds, stammings, or sayes made within either of þ said townes of Linne & Par-mouth, or suburbs of þ same in any other place, but onely with-in the citie of Norwich, or suburbs of the same, vpon paine of forf. of e-uery peece of worsted, sayes, or stammings to be made within any of the said townes of Lynne and Par-mouth, or suburbs of the same, or the va-lue thereof shorne, died, coloured or calendered by any of the saide crafts men, buyers or marchants in any other place, then in the sayde citie of Norwich or suburbs of the same, the one halfe thereof to the Q. and the other halfe to such person or persons as shall leise the same, so that the said worsteds brought to the said Citie of Norwich to be shorne, di-ed, coloured and calendered without couin or craft of any of the said in-habitants and marchants, may be shorne, dyed, coloured, and calendered, at and by as conuenient price, and in as ready wise as the saide inhabi-tants of Lynne or Par-mouth, and marchants, buyers or other of þ sayd Citie or countie hath had in times past, or hereafter shall haue, and also that euery of them so bringing their said worsteds to the same Citie for to be shorne, dyed, coloured, and calendered, be reasonably and lawfully entreated. 14. H. 8. 3. 26. H. 8. 16.

The worsted
of Lynne and
Par-mouth
shalbe dyed,
shorne, & calen-
dered at Nor-
wich.

9 ¶ Euery peece of worsted shall be pursuing throughe the peece of lawfull making, good, and conuenient stuffe, & shal holde the length & bredth, as the assise was wont to be of old tyme, rightfully accustomed, viz. Beds of the greatest assise xiii. yards largely in length, & iii. yards largely in bredth, and beds of the meane assise vii. yards in length, & iii. yards in bredth, and beds of the least assise f. yards in length, & ii. yards & a halfe in bredth, & clothes called monkes clothes vii. yards in length at the least & five quarters in bredth, & clothes called cha-non clothes of the one assise vi. yards in length, & ii. yards in bredth, &

The length &
bredth of worst-
ed & monkes
clothes.

of

Wrecke of the Sea,

of y^e other assise v. y^ards in length, and vii. quarters in b^readth, & double motlies vii. y^ards in length, & v. quarters in b^readth, & single motlies vi. y^ards in length, & v. quarters in b^readth, and double worsted x. y^ards in length, & v. quarters in b^readth, & the halfe double worsted vi. y^ards in length, & v. quarters in b^readth, & the roll of worsted xxx. y^ards in length, and halfe a y^arde in b^readth, and no lambes wool shalbe put in any of the said worsteds, and the wardens of the craft of worsted weauers of the Citie of Norwiche and countie of Norfolke, and euery of them for the time being, haue power to seise all such clothes and stufte being defectiue, And the Maior of Norwich, and Stewarde of the Duchy of Lancaster within the sayde countie of Norfolke and euery of them by twelue of the discreete artificers of the sayde citie and countie, haue power at all times to enquire, heare, and determine of all such as do against the sayde ordinaunces within the sayde citie or countie. 7. Ed. 4. 1.

¶ In the foresaide Statute of 14. H. 8. 26. H. 8. & 7. Ed. 4. there be seuerall prouisions made for Wardens of worsted weauers, to bee yeerely elected in Norwich, Linne, and Yarmouth, and appoynting where, when, and before whome they shall take their Othes, what wares they shall searche and scale, and what they may seise, and what fees and authoritie in eche respect they shall haue, by what names they may sue or be sued, and what forf. they shall make for any offence committed, or duetie omitted, and by whome & what meanes those forfaitures shalbe leuied.

1 Who may buy worsted yarne, sponne in Norwiche, or in the countie of Norfolke, S. Yarne 1.

2 That worsted yarne sponne in England, shall not be transported beyond the sea, S. Yarne 2.

3 What Prentices worsted makers dwelling in Linne, and great Yarmouth may take, S. Labourers 3 2.

¶ Wrecke of the Sea.

The Queene shall haue the wrecke of the sea through the Realme, Whales and Sturgions taken in the sea, or els where within the Realme (except in certame priuiledged places) Prerog. 17. Ed. 2. 1.

2 ¶ Where a man, a dogge, or a cat escape quicke out of the ship, such ship nor barge, nor any thing within them shalbe adiudged wreck, but the goods shalbe saued & kept by view of the Sheriffs, Coroner, or the Queenes bailife, and deliuered into the hands of such as are of the towne where the goods were found, so that if any sue for those goods, & als

The Queene
shall haue all
wreches.

Which shalbe
saide ships
wrecks, and
which not.

& after proue that they were his or his matters, or perished in his keeping within a yere & a day, they shalbe restored to him without delay, and if not, they shal remaine to the D. & be seised by þe Sherifs, Coroners, & bailifs of the towne, which shal answere before þe Justices of the wecke, belonging to the D. And where wecke belongeth to another then to the D. he shal haue it in like maner, & he that othertwise doth, and thereof is attainted, shalbe awarded to prison, & make fine at þe D. pleasure, & shal peid damages also. And if a bailife do it, & it be disallowed by his Lorde, & the Lord will not discharge him thereof, the bailife shal answere, if he haue whereof, and if he hath not whereof, the Lord shal deliuer his bailifes body to the Queene. West. 1. 3. Ed. 1. 4.

1 That a coroner shal enquire of the wreck of the sea, and the price thereof, and deliuer it to the townes to answere. S. Coroners 11.

Yarne and Thrummes,

NO person shall buy, nor cause to be bought within the Citie of Norwich, or countie of Norf. any Yarne called worsted yarne, the which shalbe sponne within the sayde citie or Countie, but onely weauers, or other artificers the which shal weaue, or otherwise worke, or cause to be wouen or wrought the sayde yarne in the sayde citie of Norwich, or els where within the sayd countie of Norf. vpon paine of forf. for euery pound weight of worsted yarne so bought, and not wouen or wrought, as is aforesayde xl.s. But it is lawfull to euery Hatmaker, dwelling within the Citie of Norwich, to buy such of the sayde worsted yarne, as is called and knowen by the name of middle Uffe yarne, as they haue heretofore vled to doe, so that the said middle Uffe yarne so bought be wrought in hats, or imployed to hatmaking within the said citie. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

Who may buy worsted yarne in Norf. folke of Norwich.

Spindle worsted yarne.

2 If any person do shippe to conuey, or cause to be shipped to conuey beyond the sea, or els doe carry or cause to be carryed beyond the sea any yarne called worsted yarne, not wrought or made in cloth, so that such yarne be spunne or made within England, then he shal forf. for euery pound of worsted yarne so shipped, conueyed, or carried, xl.s. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

No worsted yarne shalbe transported.

3 Whosoever doeth carrie out of the Realme any Thrummes or woollen yarne, vnder the colour of Thrummes, shal forf. the double value of the same. 8. H. 6. 23.

No thrummes shalbe transported.

4 No man shall buy yarne of wooll, called woollen yarne, if he will not make cloth thereof, vpon paine to forf. the same yarne, and foure fold damages, to haue two yeres imprisonment, and to make fine

None shal buy woollen yarne, but to make cloth thereof.

line at the Queenes pleasure. 8. H. 6. 3.

That no woollen yarne shall be transported, but which is wrought within this Realme, S. Draperie 102.

That none shall buy coloured yarne but in open Market, S. Draperie 71.

That the weauer shall put in all the yarne to the cloth, or restore it, S. Draperie 77.

FINIS.

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